





Government of Bengal

# Defence Legislation Manual (Bengal)

Second Edition

## Part I

The Defence of India Act, 1939, and amending  
Ordinances with the Rules and Orders made  
thereunder

Superintendent, Government Printing  
Bengal Government Press, Alipore, Bengal  
1947

Price—Indian, Rs. 7; English, 11s. 3d.





## PREFACE.

This Second Edition of the Defence Legislation Manual (Bengal) covers much the same ground as the First Edition published in 1942. The First Edition was published in a loose-leaf form in order to provide for the multifarious amendments in war emergency legislation which were bound to be made, and the bulk of the First Edition has in fact been so greatly increased by the amendments inserted that it has become difficult to find one's way about in and clumsy to use. A Second Edition of the Manual would be justified on this ground alone. There is however an additional reason for embarking on a Second Edition. The war which began in 1939 is now over and the spate of legislation enacted to meet the various emergencies arising out of the war has almost ceased. It is thus now possible to produce a compilation of the war emergency legislation which represents that legislation in its final stabilised form and which will be not only an up-to-date handy Manual of reference, but will also form a historical record of fairly compact size.

This Edition of the Manual is made up of three parts, namely,—

*Parts I and II*—The Defence of India Act, 1939, and amending Ordinances with the Rules and Orders made thereunder.

*Part III*—Selected Central Acts and Ordinances connected with the War Emergency period with the Rules and Orders made thereunder.

Part III contains a wider selection of Central Acts and Ordinances connected with the war emergency than in the case of the First Edition of this Manual.

The enactments have been grouped according to the subjects to which they relate and not chronologically, as in the First Edition. To facilitate reference to rules and orders made under enactments, the rules and orders made under an Act or Ordinance have been placed immediately after the Act or Ordinance to which they relate. Orders made under rules have been grouped according to the rule to which they relate.

Acts, Ordinances and subsidiary legislation, where they are such that the Provincial Government has no powers or executive functions, whether delegated or otherwise, thereunder, have been excluded from this Edition, as such laws are of little interest and no use in Bengal and the inclusion of this less useful matter would cause an expansion of the Manual disproportionate to its utility.

The following also have not been included in this Edition:—

- (1) Orders and Notifications which relate to any individual or firm by name;

- (2) certain Orders and Notifications which have already been included in publications issued by Government; and
- (3) Orders, Instructions and Notifications which have not been published in the Official Gazette.

The Acts, Ordinances, Rules, Notifications and Orders contained in **this Manual** have been printed as modified up to the 31st March, 1946. Amendments made by amending Acts, Ordinances, Rules and Orders have not been printed separately, but have been incorporated in the Acts, Ordinances, Rules and Orders which they amend, with explanatory footnotes.

Any communications respecting this Manual should be addressed to the Secretary to the Government of Bengal, Legislative Department.

The contents of this Manual have been compiled and arranged by Babu Naresh Chandra Chatterjee, an Upper Division Assistant of the Legislative Department under the supervision of Rai Manomohan Mukhurji Bahadur, Special Officer of the Legislative Department, and my thanks are due to both of them for their industry and application in completing the work as quickly as was possible.

G. M. RATCLIFF,

*Secretary to the Government of Bengal,  
Legislative Department.*

CALCUTTA,

*The 9th September, 1946.*

# TABLE OF CONTENTS.

## PART I.

### The Defence of India Act, 1939, and amending Ordinances with the Rules and Orders made thereunder.

#### CHAPTER I.

##### *Act, Ordinances and Rules.*

	Page.
The Defence of India Act, 1939 (XXXV of 1939) .. .. .	1
The Defence of India (Amendment) Ordinance, 1943 (Ord. XIV of 1943) ..	21
The Defence of India (Second Amendment) Ordinance, 1944 (Ord. XXXV of 1944)	22
The Rules and Orders made by the Central Government under the Defence of India Act, 1939 (XXXV of 1939) except the Defence of India Rules .. .. .	23
The Rules and Orders made by the Provincial Government of Bengal under the Defence of India Act, 1939 (XXXV of 1939) except the Defence of India Rules .. .. .	53
The Defence of India Rules .. .. .	117

#### CHAPTER II.

##### *Access to certain Premises and Areas—The Rules and Orders made by the Central Government and the Bengal Government under rules 6-12 of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 6-12 of the Defence of India Rules .. .. .	303
2. Rules and Orders made by the Bengal Government under rules 6-12 of the Defence of India Rules .. .. .	315

#### CHAPTER III.

##### *Control of Signalling, Telegraphy, Postal Communications, etc.*

The Rules and Orders made by the Central Government under rules 13-22 of the Defence of India Rules .. .. .	373
---	-----

#### CHAPTER IV.

##### *Restrictions on Movements and Activities of Persons and Restrictions on Foodgrains.*

The Rules and Orders made by the Central Government under rules 23-33 of the Defence of India Rules .. .. .	379
---	-----

#### CHAPTER V.

##### *Prevention of Prejudicial Acts and Control of Information and False Representations, etc. The Rules and Orders made by the Central Government and Bengal Government under rules 34-48 of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 34-48 of the Defence of India Rules .. .. .	387
2. Rules and Orders made by the Provincial Government of Bengal under rules 34-48 of the Defence of India Rules .. .. .	395

#### CHAPTER VI.

##### *Preparation for Defence—The Rules and Orders made by the Central Government and the Bengal Government under rules 49-53 of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 49-53 of the Defence of India Rules .. .. .	437
2. Rules and Orders made by the Provincial Government of Bengal under rules 49-53 of the Defence of India Rules .. .. .	445

## CHAPTER VII.

*Control of Arms and Explosives—The Rules and Orders made by the Central Government and the Bengal Government under rules 54-55 of the Defence of India Rules.*

	Page.
1. Rules and Orders made by the Central Government under rules 54-55 of the Defence of India Rules .. .. .	511
2. Rules and Orders made by the Provincial Government of Bengal under rules 54-55 of the Defence of India Rules .. .. .	513

## CHAPTER VIII.

*Public Safety and Order—The Rules and Orders made by the Central Government and the Bengal Government under rules 56-59B of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 56-59B of the Defence of India Rules .. .. .	519
2. Rules and Orders made by the Provincial Government of Bengal under rules 56-59B of the Defence of India Rules .. .. .	521

## CHAPTER IX.

*Shipping and Aircraft—The Rules and Orders made by the Central Government and the Bengal Government under rules 59C-75 of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 59C-75 of the Defence of India Rules .. .. .	525
2. Rules and Orders made by the Provincial Government of Bengal under rules 59C-75 of the Defence of India Rules .. .. .	531

## CHAPTER X.

*Essential Supplies and Work—The Rules and Orders made by the Central Government and the Bengal Government under rules 75A-84C of the Defence of India Rules.*

1. Rules and Orders made by the Central Government under rules 75A-84C of the Defence of India Rules .. .. .	533
Rules and Orders made by the Central Government under rule 81 of the Defence of India Rules as subjectively arranged :—	
(i) Chemicals .. .. .	537
(ii) Cinematograph .. .. .	554
(iii) Cotton, Cloth and Textiles .. .. .	562
(iv) Drugs .. .. .	604
(v) Food and Foodgrains .. .. .	631
(vi) Goods and Consumer Goods .. .. .	643
(vii) Gur and Sugar .. .. .	655
(viii) Jute .. .. .	666
(ix) Motor Spirit .. .. .	671
(x) Motor Vehicles and Tyres .. .. .	701
(xi) Oilseeds, Oil and Oilcakes .. .. .	767
(xii) Paper and Newspaper .. .. .	777
(xiii) Rubber .. .. .	827
(xiv) Miscellaneous .. .. .	857

# DEFENCE LEGISLATION MANUAL (BENGAL)

(Part I—The Defence of India Act, 1939, and amending Ordinances with the Rules and Orders made thereunder.)

## Chapter I—Acts, Ordinances and Rules.

### THE DEFENCE OF INDIA ACT, 1939

#### CONTENTS

#### CHAPTER I.

##### PRELIMINARY.

##### SECTIONS.

1. Short title, extent, commencement and duration.

#### CHAPTER II.

##### EMERGENCY POWERS.

2. Powers to make rules.
3. Effect of rules, etc., inconsistent with other enactments.
4. Special powers to control civilian personnel employed in connexion with His Majesty's forces.
5. Enhanced penalties.
6. Temporary amendments of Acts.
7. Savings and temporary amendment of Act VIII of 1938.

#### CHAPTER III.

##### SPECIAL TRIBUNALS.

8. Constitution of Special Tribunals.
9. Jurisdiction of Special Tribunals.
10. Procedure of Special Tribunals.
11. Exclusion of public from proceedings of Special Tribunals.
12. Powers of Special Tribunals.
13. Sentences of Special Tribunals.

#### CHAPTER IV.

##### SUPPLEMENTAL.

14. Jurisdiction of ordinary Courts.
15. Ordinary avocations of life to be interfered with as little as possible.
16. Savings as to orders.
17. Protection of action taken under the Act.
18. Powers and functions and legal protection of Indian State military and police forces and of Crown Representative's police force when employed on military or police duties in British India.
19. Compensation to be paid in accordance with certain principles for compulsory acquisition of immovable property, etc.
- 19A. Power to acquire requisitioned property.
- 19B. Release from requisition.
20. Definition.
21. Repeal and saving.



# DEFENCE LEGISLATION MANUAL (BENGAL)

(Part I—The Defence of India Act, 1939 and  
amending Ordinances with the Rules and  
Orders made thereunder.)

(Chapter I—Acts, Ordinances and Rules.)

<sup>1</sup>Act No. XXXV of 1939

## THE DEFENCE OF INDIA ACT, 1939

[29th September 1939.]

*An Act to provide for special measures to ensure the  
public safety and interest and the defence of  
British India and the trial of certain offences.*

WHEREAS an emergency has arisen which renders it  
necessary to provide for special measures to ensure the  
public safety and interest and the defence of British  
India and for the trial of certain offences;

26 Geo.  
5, c. 2.

AND WHEREAS the Governor General in his discretion  
has declared by Proclamation under sub-section (1) of  
section 102 of the Government of India Act, 1935, that  
a grave emergency exists whereby the security of  
India is threatened by war;

It is hereby enacted as follows:—

### CHAPTER I.

#### PRELIMINARY.

1. (1) This Act may be called the Defence of India Act, 1939. Short title,  
extent,  
commencement  
and duration.

(2) It extends to the whole of British India, and it  
applies also—

- (a) to British subjects and servants of the Crown  
in any part of India;
- (b) to British subjects who are domiciled in any  
part of India wherever they may be;
- (c) in respect of the regulation and discipline of any  
naval, military or air force raised in British  
India, to members of, and persons attached  
to, employed with, or following, that force,  
wherever they may be; and
- (d) to, and to persons on, ships and aircraft regis-  
tered in British India wherever they may be.

(3) This section shall come into force at once, and  
the remaining provisions of this Act shall come into

---

<sup>1</sup>For notifications applying the Act to the Chittagong Hill Tracts,  
Darjeeling and the partially excluded areas of the Mymensingh districts,  
see page 52 of this publication.



**Form of order for the requisition of buildings, etc., required  
by the Government of Bengal under rule 76 of the  
Defence of India Rules.**

ORDER No.....

Dated....., the.....1942.

In exercise of the powers conferred by rule 76 of the Defence of India Rules, which have been directed under sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), to be exercised by me, I do hereby requisition the building, together with the compound thereof (\*and all fixtures, fittings, furniture and other things therein), described in the schedule annexed to this order, and further direct that:—

\*Strike out the words which are not required.

(a) the said building, compound (\*fixtures, fittings, furniture and other things) specified in the said schedule shall be placed at the disposal and under the control of .....and shall remain at his (their) disposal and under his (their) control until three months after the termination of the present war unless relinquished by him (them) earlier:

(b) the owner or owners, and occupier or occupiers (if any) of the said building, and compound—

(i) shall furnish to the said. such information in his or their possession relating to the said building, compound, (\*fixtures, fittings, furniture or other things), as the said....., may specify, and

(ii) shall not without my written permission in any way dispose of the said building, compound (\*fixtures, fittings, furniture or other things), as long as this order remains in force.

**The Schedule.**

*District Magistrate of.....*

*Or designation of other officer*

*who will issue the order.*

**Form of order for the requisition of land required by the  
Government of India under rule 79 of the Defence of  
India Rules.**

ORDER No.....

Dated the.....1942.

**Order.**

Whereas in my opinion it is necessary and expedient;  
for securing the defence of British India, the public safety,  
the maintenance of public order and the efficient prosecution  
of war,

**Alternative.**

---

for maintaining supplies and services essential to the life  
of the community,

to requisition the land described in the Schedule hereto  
annexed, and to make the following order in connection  
therewith;

Now, therefore, in exercise of the powers conferred by  
sub-rules (1), (2) and (3) of rule 79 of the Defence of India  
Rules, which have been directed under sub-section (4) of  
section 2 of the Defence of India Act, 1939 (XXXV of  
1939), to be exercised by me, I hereby make the following  
order, namely:—

Mr./Babu/Messrs.....of.....

the owner of the said land—  
occupier

- (a) shall place the said land at the disposal and under  
the control of.....or and from  
the.....1942 until six months  
after the termination of the present war unless  
relinquished earlier;
- (b) shall furnish to the said.....such  
information in his (their) possession relating to  
the said land as the said.....  
may by an order in writing specify; and
- (c) shall not, without the written permission of the said  
.....in any way dispose of the  
said land as long as this order remains in force.

**The Schedule.**

Collector of.....

## SPECIAL CRIMINAL COURTS.

**Powers of Special Courts to deal with refractory accused.**

21. (1) Where an accused, in a trial before a Court constituted under this Ordinance, has, by his voluntary act, rendered himself incapable of appearing before the Court, or resists his production before it, or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dispense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or being present in person if he has become capable of appearing, or appears in Court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Court constituted under this Ordinance shall be held to be illegal by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

**Powers of Special Courts to exclude the public.**

22. A Court constituted under this Ordinance may if it thinks fit, order at any stage of a trial that the public generally or any particular persons shall not have access to or be or remain in the room or building used by the Court.

**Special rule of evidence.**

23. Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Court constituted under this Ordinance, if such person is dead or cannot be found or is incapable of giving evidence.

**Special rule of Procedure.**

24. (1) Notwithstanding anything contained in section 386 of the Code, where any offender has been sentenced by a Court constituted under this Ordinance to pay a fine, the Court may recover the fine by the issue of a warrant for the levy of the amount by attachment and sale of any property, movable or immovable, of the offender.

(2) Notwithstanding anything contained in section 545 of the Code, a Court constituted under this Ordinance may, when imposing a fine on any person convicted by the Court, order the whole or any part of the fine recovered to be applied—

(a) in the payment to any person affected by the offence of compensation for any loss, injury or annoyance caused by the offence, or

## SPECIAL CRIMINAL COURTS.

- (b) in the payment of a reward to any person who has given information leading to the detection of the offence or to the conviction of the accused.

\*24A. Notwithstanding anything contained in the Code no person accused in a trial before a Court constituted under this Ordinance of a non-bailable offence shall be released on bail or on his own bond unless—

Special provision regarding bail.

- (a) the prosecution has been given an opportunity to oppose the application for such release, and  
(b) "[where the prosecution opposes the application, the Court] is satisfied that there are reasonable grounds for believing that he is not guilty of the offence,

and no person who has been sentenced by a Court constituted under this Ordinance to a term of imprisonment for any offence whether bailable or non-bailable shall be released on bail pending any appeal by him.

25. A Court constituted under this Ordinance shall not be required to grant an adjournment for the purpose of securing the attendance of a legal practitioner, if in the opinion of the Court such adjournment would cause unreasonable delay in the disposal of the case.

Legal practitioners.

\*25A. (1) The Sessions Judge of the sessions division within which is situated the area for which a Special Judge has been appointed may, at any stage of the proceedings before that Special Judge, transfer a case from him to another Special Judge "[within that sessions division].

Transfer of cases.

(2) The District Magistrate of the district within which a Special Magistrate's Court is situated may, at any stage of the proceedings before that Special Magistrate, transfer a case from him to another Special Magistrate within the district.

\*(3) The Provincial Government, at any stage of the proceedings, may transfer a case from a Special Judge appointed for one area to a Special Judge appointed for a different area, or may transfer a case from a Special Magistrate whose Court is situated in one district to a Special Magistrate whose Court is situated in a different district;

\*Added by the Special Criminal Courts (Amendment) Ordinance, 1942 (Ord. No. XXIV of 1942).

\*Substituted by the Special Criminal Courts (Second Amendment) Ordinance, 1942 (Ord. XLII of 1942).

\*Inserted by the Special Criminal Courts (Third Amendment) Ordinance, 1942 (Ord. LXI of 1942).

\*Substituted by s. 3 of the Special Criminal Courts (Amendment) Ordinance, 1943 for the words "within that area".

\*Sub-section (3) was inserted by s. 3 of the Special Criminal Courts (Amendment) Ordinance, 1943.

## SPECIAL CRIMINAL COURTS.

<sup>1</sup>[(4)] Notwithstanding anything contained in the Code when a case is transferred under sub-section (1) or sub-section (2) <sup>2</sup>[or sub-section (3)], the Special Judge or Special Magistrate to whom the case is transferred shall not be bound to re-summon or re-hear the witnesses or any of them, unless he is satisfied that such a course is necessary in the interests of justice.

Transfer of  
appeals.

<sup>3</sup>25B. (1) The Provincial Government may transfer any appeal preferred under sub-section (1) of section 13 to a Special Judge from that Special Judge either to the Court of Session having jurisdiction in the area for which that Special Judge is appointed or to a Special Judge having jurisdiction in that or in a different area, and may transfer any appeal so preferred to a Court of Session from that Court of Session either to another Court of Session or to a Special Judge appointed for an area either within or outside the sessions division in which that Court of Session is situated, and the Court of Session to which or the Special Judge to whom any appeal is so transferred shall have jurisdiction to dispose of the appeal as if it were an appeal lying to such Court or Judge.

(2) The Chief Presidency Magistrate in a Presidency-town may transfer any appeal preferred to him under sub-section (1) of section 19 from himself to any Presidency Magistrate of the first class, and the District Magistrate of a district may transfer any appeal so preferred to the Special Magistrate or other Magistrate appointed by him to hear the appeal under that sub-section from that Magistrate to another Special Magistrate or Magistrate of the first class, and the Magistrate to whom any appeal is so transferred shall have jurisdiction to dispose of the appeal as if it were an appeal lying to him under that sub-section.

Exclusion of  
interference of  
other Courts.

26. Notwithstanding the provisions of the Code, or of any other law for the time being in force, or of anything having the force of law by whatsoever authority made or done, there shall, save as provided in this Ordinance, be no appeal from any order or sentence of a Court constituted under this Ordinance and, save as aforesaid, no Court shall have authority to revise such order or sentence, or to transfer any case from any such Court, or to make any order under section 491 of the Code or have any jurisdiction of any kind in respect of any proceedings of any such Court.

Application of  
Ordinary law

27. The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Ordinance, shall apply to all matters connected with, arising from or consequent upon a trial by special criminal Courts constituted under this Ordinance.

<sup>1</sup>The Original sub-section (3) was re-numbered as sub-section by the Special Criminal Courts (Amendment) Ordinance, 1943.

<sup>2</sup>Inserted, *ibid.*

<sup>3</sup>Section 25B was inserted, *ibid.*

# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### RULES AND ORDERS ISSUED BY THE PROVINCIAL GOVERNMENT OF BENGAL UNDER THE SPECIAL CRIMINAL COURT ORDINANCE, 1942 (ORDINANCE No. II OF 1942).

*Notification No. 18S., dated the 15th April, 1942 (published in the "Calcutta Gazette Extraordinary" of the 16th April, 1942),*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), shall apply to the Chittagong Hill-tracts in so far as it is not inconsistent with the Chittagong Hill-tracts Regulation, 1900 (I of 1900), or with any rules, for the time being in force thereunder, with effect from the date of publication of this notification in the *Calcutta Gazette*, subject to the following modifications, namely:—

(1) that in sub-section (3) of section 1 of the said Ordinance—

(a) for the words "any Province" the words "the Chittagong Hill-tracts" shall be substituted, and

(b) for the word "Province" the words "said tracts" shall be substituted;

(2) that section 2 of the said Ordinance shall be omitted;

(3) that in section 4 of the said Ordinance for the words, brackets and figures, "for such area as it may think fit any person who has acted for a period of not less than two years in the exercise of the powers of a Sessions Judge or an Assistant Sessions Judge under the Code of Criminal Procedure, 1898 (hereinafter in this Ordinance referred to as the Code)" the following shall be substituted, namely:—

"for the said tracts the Commissioner of the Chittagong Division or such person being an executive officer of not less than ten years standing as it thinks fit";

(4) that in sub-section (1) of section 6 of the said Ordinance after the words "the Code" the words, brackets and figures "of Criminal Procedure, 1898 (hereinafter in this Ordinance referred to as the Code)" shall be inserted;

(5) that in section 8 of the said Ordinance the words "which person shall be chosen from the Judges of the High Court having jurisdiction over the area for which the Special Judge is appointed" shall be omitted;

(6) that in section 9 of the said Ordinance the words "Presidency Magistrate or" shall be omitted;

(7) that in sub-section (1) of section 13 of the said Ordinance the word "to the High Court in a Presidency-town and elsewhere" shall be omitted;

(8) that in section 16 of the said Ordinance—

(a) in sub-section (1)—

(i) the words "or in a Presidency-town the Chief Presidency Magistrate"; and

(ii) the words "or the Chief Presidency Magistrate" shall be omitted;

(b) in sub-section (2) the words "or Chief Presidency Magistrate" shall be omitted;

(9) that in sub-section (1) of section 19 of the said Ordinance—

(a) the words "in a Presidency-town to the Chief Presidency Magistrate and elsewhere," and

(b) the words "of the district in which the Summary Court is situated" shall be omitted;

(10) that in sub-section (2) of section 20 of the said Ordinance the words "or in a Presidency-town to the Chief Presidency Magistrate" shall be omitted.

*Notification No. 4498Def., dated the 18th December, 1942 (published in the "Calcutta Gazette" of the 24th December, 1942, Pt. I, p. 2812).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts (Third Amendment) Ordinance, 1942 (Ordinance LXI of 1942), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district, with effect from the date of publication of this notification in the *Calcutta Gazette*.

*Notification No. 3758., dated the 12th March, 1943 (published in the "Calcutta Gazette" of the 18th March, 1943, Pt. I, p. 539).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts (Amendment) Ordinance, 1943 (Ordinance X of 1943), shall, with effect from the date of publication of the notification in the *Calcutta Gazette*, apply to the Chittagong Hill-tracts subject to the following modifications, namely:—

(1) that section 2 of the said Ordinance shall be omitted;

(2) that section 3 of the said Ordinance shall be omitted; and

(3) that for section 4 of the said Ordinance, the following section shall be substituted, namely:—

Insertion of new section 25B in Ordinance II of 1942.

Transfer of appeals.

"2. After section 25A of the Special Criminal Courts Ordinance, 1942, the following section shall be inserted, namely:—

"25B. The District Magistrate may transfer any appeal preferred under sub-section (1) of section 19 to the Special Magistrate or other Magistrate appointed by him to hear the appeal under that sub-section from that Magistrate to another Special Magistrate or Magistrate of the first class and the Magistrate to whom any appeal is so transferred shall have jurisdiction to dispose of the appeal as if it were an appeal lying to him under that sub-section."

**Notification No. 3529P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).**

Whereas the Governor is satisfied of the existence of an emergency arising from a hostile attack on Burma and from the imminence of such an attack on Bengal;

Now, therefore, in exercise of the power conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to declare the said Ordinance to be in force in the province of Bengal with effect from the date of publication of this notification in the *Calcutta Gazette*.

**Notification No. 19S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).**

Whereas the Governor is satisfied of the existence of emergency arising from a hostile attack on Burma and from the imminence of such an attack on Bengal;

Now, therefore, in exercise of the power conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to declare the said Ordinance to be in force in the Chittagong Hill-tracts with effect from the date of publication of this notification in the *Calcutta Gazette*.

**Notification No. 20S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).**

In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to appoint the Commissioner of the Chittagong Division to be the Special Judge for the Chittagong Hill-tracts.

**Notification No. 3535P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).**

In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Chittagong, Noakhali, Tippera, Bakarganj, 24-Parganas, Midnapore and Khulna, to direct within their respective districts, by general or special order in writing which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

**Notification No. 21S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).**

In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Commissioner of the Chittagong Division to direct within the Chittagong Hill-tracts by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by the Special Judge.



**Notification No. 7321P., dated the 13th May, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 14th May, 1942).**

In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Burdwan and Howrah, to direct within their respective districts, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

**Notification No. 1076Def., dated the 21st September, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 22nd September, 1942).**

In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower all Additional District Magistrates in this province to direct within the respective districts to which they are posted, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

**Notification No. 99S., dated the 19th June, 1942 (published in the "Calcutta Gazette" of the 25th June, 1942, Pt. I, p. 1580).**

In exercise of the power conferred by section 8 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to nominate the Secretary to the Government of Bengal in the Judicial Department to be the person to whom proceedings referred to in the said section shall be submitted for review.

**Notification No. 3532P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).**

In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the districts of Chittagong, Noakhali, Tippera, Bakarganj, 24-Parganas, Midnapore and Khulna who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

**Notification No. 22S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).**

In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the Chittagong Hill-tracts who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

**Notification No. 7321P., dated the 13th May, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 14th May, 1942).**

In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the districts of Burdwan and Howrah who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

*Notification No. 3534P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).*

In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Chittagong, Noakhali, Tippera, Bakarganj, 24 Parganas, Midnapore and Khulna, to direct within their respective districts, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

*Notification No. 238., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).*

In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Deputy Commissioner of the Chittagong Hill-tracts to direct within his district, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

*Notification No. 7323P., dated the 13th May, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 14th May, 1942).*

In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Burdwan and Howrah, to direct within their respective districts, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

*Notification No. 1077Def., dated the 21st September, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 22nd September, 1942).*

In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower all Additional District Magistrates in this province to direct within the respective districts to which they are posted, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

*Notification No. 3533P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).*

In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased

to empower the Magistrates mentioned in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

**Magistrates.**

**Areas.**

All Magistrates of the first and second class.

The districts of Chittagong, Noakhali, Tippera, 24 Parganas, Midnapore, Khulna and Bakarganj and subdivisions in those districts in which they may be posted for the time being.

*Notification No. 248., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).*

In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates mentioned in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

**Magistrates.**

**Areas.**

All Magistrates of the first and second class.

The district of the Chittagong Hill-tracts and subdivisions in the district in which they may be posted for the time being.

*Notification No. 7322P., dated the 13th May, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 14th May, 1942).*

In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates mentioned in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

**Magistrates.**

**Areas.**

All Magistrates of the first and second class.

The districts of Burdwan and Howrah and subdivisions in those districts in which they may be posted for the time being.

# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### 2. THE PENALTIES (ENHANCEMENT) ORDINANCE, 1942 (ORDINANCE No. III OF 1942.)

##### ORDINANCE No. III OF 1942.

##### The Penalties (Enhancement) Ordinance.

[31st December, 1941.]

*An Ordinance to enhance in certain circumstances the penalties provided by law for the punishment of certain offences.*

(Published in the *Gazette of India, Extraordinary*, of the 2nd January, 1942.)

WHEREAS an emergency has arisen which makes it necessary to enhance in certain circumstances the penalties provided by law for the punishment of certain offences;

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

26 Geo. 5,  
c. 2.

1. (1) This Ordinance may be called the Penalties (Enhancement) Ordinance, 1942.

Short title,  
extent and  
operation.

(2) It extends to the whole of British India.

(3) It shall come into force at once; but sections 3 to 7 inclusive shall have effect only in pursuance of and in accordance with a notification issued under section 2 and only so long as such notification remains unrescinded.

2. The Provincial Government may, from time to time by notification in the official Gazette, declare that sections '[3 to 7A] inclusive, or any of them, or such provisions of section 4 or section 7 '[or section 7A] as relate to a particular offence or particular offences therein specified shall have effect throughout the Province, or in any specified area in the Province.

Power of  
Provincial  
Government to  
put the  
provisions  
of this  
Ordinance into  
effect.

<sup>1</sup>Substituted by Ordinance III of 1943.

<sup>2</sup>Inserted, *ibid.*

## PENALTIES (ENHANCEMENT).

Punishment for theft.

3. Whoever commits theft in any premises which have been damaged by war operations, or vacated by reason of attack by the enemy or in consequence of any authorised directions given for the purpose of meeting or hindering any actual or apprehended attack by the enemy or of protecting persons and property from the dangers involved in any such attack, or commits theft of any article which has been left exposed or unprotected as a consequence of war operations shall be punished with death, or with rigorous imprisonment for a term which may extend to ten years, or with whipping <sup>1</sup>[or with whipping in addition to such rigorous imprisonment].

*Explanation.*—In this section "theft" means theft as defined in section 378 of the Indian Penal Code, and "authorised directions" means any order or directions made or given in the exercise of any power conferred by or under the Defence of India Act, 1939, or made or given by an officer of His Majesty's Forces acting in the course of his duties.

XLV of  
1860.  
XXXV of  
1939.

Punishment for offences under sections 326, 435 and 436, Indian Penal Code.

4. Whoever commits an offence punishable under section 326 <sup>1</sup>[or section 386 or section 387 or section 392 or section 393 or section 399] or section 435 or section 436 of the Indian Penal Code may, in lieu of any punishment to which he is liable under the said Code, be punished with death, or with whipping <sup>1</sup>[or with whipping in addition to any punishment to which he is liable under the said Code].

Punishment for contraventions of rule 35, Defence of India Rules.

5. Whoever contravenes any of the provisions <sup>2</sup>[for the time being in force] of rule 35 of the Defence of India Rules <sup>3</sup>[or is deemed under rule 121 of the said Rules to have contravened any such provision] may, in lieu of any punishment to which he is liable under <sup>4</sup>[the said rules], be punished with death, or with whipping <sup>1</sup>[or with whipping in addition to any punishment to which he is liable under <sup>4</sup>[the said rules].

Punishment for offences under section 376, Indian Penal Code.

6. Whoever commits an offence punishable under section <sup>5</sup>[376] <sup>1</sup>[or section 380 or section 382 or section 394 or section 395] of the Indian Penal Code may, in lieu of any punishment to which he is liable under the said Code or under the Whipping Act, 1909, be punished with death <sup>1</sup>[or in the case of an offence punishable under section 380 or section 382 with whipping in addition to any punishment to which he is liable under the said Code].

IV of 1909.

<sup>1</sup>Added by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ord. No. XXIX of 1942).

<sup>2</sup>Inserted by the Penalties (Enhancement) Third Amendment Ordinance, 1942.

<sup>3</sup>Substituted, *ibid.*

<sup>5</sup>This figure was substituted for the figure "375" by s. 2 of the Penalties (Enhancement) Amendment Ordinance, 1942 (Ord. No. VII of 1942).

## PENALTIES (ENHANCEMENT).

**7.** Whoever commits an offence punishable under section <sup>1</sup>[147] or section 148 or section 186 of the Indian Penal Code may, in lieu of <sup>2</sup>[or in addition to] any punishment to which he is liable under the said Code, be punished with whipping. Punishment for offences under sections 147, 148 and 186, Indian Penal Code.

**7A.** Whoever commits an offence punishable under section 3 or section 4 or section 5 of the Explosive Substances Act, 1908, may, in lieu of any punishment to which he is liable under the said Act, be punished with death, or with whipping, or with whipping in addition to any punishment to which he is liable under the said Act. Punishment of offences under sections 3, 4 and 5 of Act VI of 1908.

VI of 1908.

**7B.** Whoever attempts to commit, or abets, or attempts to abet, or does any act preparatory to the commission of, any offence referred to in section 3, 4, 6, 7 or 7A shall, notwithstanding anything contained in the Indian Penal Code, be punishable with the punishment provided for the commission of the offence. Punishment for attempts to commit, and abetment of, offences.

**8.** Notwithstanding anything elsewhere contained in any Act, Regulation or Ordinance, an offence made punishable with death by this Ordinance shall not, by reason of having been made so punishable, cease to be triable by any Court which might have tried the offence had it not been made so punishable. Saving.

---

<sup>1</sup>This figure was substituted for the figure "146" by s. 2 of the Penalties (Enhancement) Amendment Ordinance, 1942 (Ord. No. VII of 1942).

<sup>2</sup>Inserted by the Penalties (Enhancement) Amendment Ordinance, 1943 (Ord. No. III of 1943).

<sup>3</sup>Added by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ord. No. XXIX of 1942).



# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### Rules and Orders issued by the Provincial Government of Bengal under the Penalties (Enhancement) Ordinance, 1942.

*Notification No. 25S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), and the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall apply to the Chittagong Hill-tracts, with effect from the date of application of this notification in the *Calcutta Gazette*, subject to the following modifications, namely:—

that in section 2 of the Penalties (Enhancement) Ordinance, 1942, for the words "throughout the Province or in any specified area, in the Province" the words "throughout the Chittagong Hill-tracts or in any specified area therein" shall be substituted.

*Notification No. 3530P., dated the 3rd April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 3rd April, 1942).*

In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the districts of Chittagong, Noakhali, Tippera, Midnapore, 24-Parganas, Khulna and Bakarganj.

*Notification No. 26S., dated the 15th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 16th April, 1942).*

In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the Chittagong Hill-tracts.

*Notification No. 7319P., dated the 13th May, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 14th May, 1942).*

In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor



is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the districts of Burdwan and Howrah.

*Notification No. 1410Def., dated the 8th February, 1943 (published in the "Calcutta Gazette" of the 11th February, 1943, Pt. I, p. 224).*

In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that section 7A of the said Ordinance shall have effect in the districts of Chittagong, Noakhali, Tippera, Midnapore, 24-Parganas, Khulna, Bakarganj, Burdwan, Howrah, Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur, Jalpaiguri, Darjeeling, Dacca, Mymensingh and Faridpur and in the Presidency town of Calcutta.

## DEFENCE LEGISLATION MANUAL (BENGAL)

### Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

#### Chapter I—Civil and Criminal Law

#### 3.—THE COLLECTIVE FINES ORDINANCE, 1942 (ORD. No. XX OF 1942).

Ordinance No. XX of 1942.

#### THE COLLECTIVE FINES ORDINANCE, 1942.

[13th May, 1942.]

*An Ordinance to provide for the imposition of collective fines.*

WHEREAS an emergency has arisen which makes it necessary to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of British India [the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community];

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

24 Geo. 5  
c. 2.

1. (1) This Ordinance may be called the Collective Fines Ordinance, 1942.

Short title,  
extent and  
commencement.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Ordinance,—

(a) "District Magistrate" means in a Presidency-town, and within the limits of the tract defined by notification under section 1 of the Calcutta Suburban Police Act, 1886, as the limits to which the operation of that Act is confined, the Commissioner of Police;

Interpretation.

(b) "Provincial Government" means in relation to a Chief Commissioner's Province the Chief Commissioner.

Bom. Act II  
of 1886.

<sup>1</sup>Substituted by the Collective Fines (Amendment) Ordinance, 1942 (Ord. XLIII of 1942).

**Imposition of  
collective fines  
on inhabitants  
of area.**

3. (1) If it appears to the Provincial Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of British India <sup>1</sup>[the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community], or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Provincial Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

<sup>2</sup>[(1A)] An officer empowered in this behalf by the Provincial Government by general or special order may exercise the power conferred by sub-section (1) on the Provincial Government:

Provided that an imposition of a collective fine by any such officer may be made by publication of the order imposing the fine either in the official Gazette or in any such other manner as such officer considers best calculated to bring the order to the notice of the inhabitants of the area concerned.]

(2) The Provincial Government <sup>3</sup>[or any officer empowered in this behalf by the Provincial Government by general or special order] may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

<sup>4</sup>(3A) In any such apportionment the District Magistrate may assign a portion of such fine to a Hindu undivided family to be payable by it.

<sup>5</sup>[(4) The portion of such fine payable by any person (including a Hindu undivided family) may be recovered—

(a) in the manner provided by the Code of Criminal Procedure, 1898, for the recovery of fines imposed by a Court, as if such portion were a fine imposed by the District Magistrate acting as a Court: V of 1898.

Provided that the Provincial Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal V of 1898.

<sup>1</sup>Substituted by the Collective Fines (Amendment) Ordinance, 1942 (Ord. XLIII of 1942).

<sup>2</sup>Inserted by the Collective Fines (Second Amendment) Ordinance, 1942 (Ord. No. XLIX of 1942).

<sup>3</sup>Substituted by the Collective Fines (Third Amendment) Ordinance, 1942 (Order No. LXIII of 1942).

Procedure, 1898, make rules under this Ordinance regulating the manner in which warrants under clause (a) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrants; or

(b) as arrears of land revenue.]

*Explanation.*—For the purposes of this section the expression “inhabitants of an area” includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

14. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Ordinance.

Bar of legal proceedings.

---

<sup>1</sup>Added by the Collective Fines (Amendment) Ordinance, 1943 (Ord. V of 1943), section 2.



# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### RULES AND ORDERS ISSUED BY THE PROVINCIAL GOVERNMENT OF BENGAL UNDER THE COLLECTIVE FINES ORDINANCE, 1942 (ORD. No. XX OF 1942).

*Notification No. 258Def., dated the 5th September, 1942 (published in the "Calcutta Gazette" of the 10th September, 1942, Pt. I, p. 2144).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district with effect from the date of publication of this notification in the *Calcutta Gazette*.

*Notification No. 20831P., dated the 22nd October, 1942 (published in the "Calcutta Gazette" of the 29th October, 1942, Pt. I, p. 2441).*

In exercise of the powers conferred by sub-sections (1A) and (2) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to empower the officers specified in column I of the Schedule below to exercise the powers conferred by sub-section (1) of the said section of the Provincial Government and to exempt under sub-section (2) of that section any person or class or section of inhabitants from liability to pay any portion of the fine imposed under sub-section (1) of that section in the areas shown in the corresponding entries in column II of the said Schedule:—

#### The Schedule.

##### I

The Commissioner of Police, Calcutta.

##### II

The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

All District Magistrates in Bengal

The respective districts of which they are in charge excluding in the case of the district of the 24-Parganas so much of the said district as is included in the suburbs of Calcutta.

*Notification No. 2778., dated the 18th January, 1943 (published in the "Calcutta Gazette" of the 21st January, 1943, Pt. I, p. 68).*

In exercise of the powers conferred by sub-sections (1A) and (2) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to empower the Deputy Commissioner, Chittagong Hill-tracts, to exercise the powers conferred by sub-section (1) of the said section on the Provincial Government and to exempt under sub-section (2) of that section any person or class or section of inhabitants from liability to pay any portion of the fine imposed under sub-section (1) of that section in the district of the Chittagong Hill-tracts.

# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### 4.—THE SPECIAL CRIMINAL COURTS (REPEAL) ORDINANCE, 1943 (ORD. No. XIX OF 1943).

##### The Special Criminal Courts (Repeal) Ordinance, 1943.

[5th June, 1943.]

*An Ordinance to repeal the Special Criminal Courts Ordinance, 1942, and to provide for certain matters in connection with such repeal.*

WHEREAS an emergency has arisen which makes it necessary to repeal the Special Criminal Courts Ordinance, 1942 (II of 1942), and to provide for certain matters in connection with such repeal;

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Special Criminal Courts (Repeal) Ordinance, 1943. Short title and commencement.

(2) It shall come into force at once.

2. The Special Criminal Courts Ordinance, 1942 (hereinafter referred to as the said Ordinance), is hereby repealed. Repeal of Ordinance II of 1942.

3. (1) Any sentence passed by a Special Judge, a Special Magistrate or a Summary Court in exercise of jurisdiction conferred or purporting to have been conferred by or under the said Ordinance shall have effect, and subject to the succeeding provisions of this section, shall continue to have effect, as if the trial at which it was passed had been held in accordance with the Code of Criminal Procedure, 1898 (V of 1898), by a Sessions Judge, an Assistant Sessions Judge or a Magistrate of the first class respectively, exercising competent jurisdiction under the said Code: Confirmation and continuance, subject to appeal, of sentences.

Provided that in respect of any such sentence as aforesaid passed in a Presidency-town, the reference in this sub-section to Courts established under the said



Code shall be construed as a reference to the Court in the Presidency-town competent in law to have passed the sentence.

(2) Notwithstanding anything contained in any other law, any such sentence as is referred to in sub-section (1) shall, whether or not the proceedings in which the sentence was passed were submitted for review under section 8, and whether or not the sentence was the subject of an appeal under section 13 or section 19, of the said Ordinance, be subject to such rights of appeal as would have accrued, and to such powers of revision as would have been exercisable under the said Code if the sentence had at a trial so held been passed on the date of the commencement of this Ordinance '[or in respect of a sentence passed in a Presidency-town, on the date of the commencement of the Special Criminal Courts (Repeal) Amendment Ordinance, 1943 (XXVI of 1943)]:

Provided that in respect of any such sentence as aforesaid passed a Presidency-town, which sentence would, if it had been passed in a sessions division outside the Presidency-town, have had effect as if passed by a Sessions Judge or an Assistant Sessions Judge, the convicted person shall have a right of appeal to the High Court in the same manner as if the Court competent in law to have passed the sentence had been the Court of Session in a sessions division outside the Presidency-town:]

'Provided further that notwithstanding anything contained in section 418 of the Code of Criminal Procedure, 1898 (V of 1898), an appeal against any such sentence as aforesaid shall lie on a matter of fact as well as a matter of law.

(3) Where any such sentence as aforesaid has been altered in the course of review or on appeal under the said Ordinance, the sentence as so altered shall for the purposes of this section be deemed to have been passed by the Court which passed the original sentence.

4. Where the trial of any case pending before a Court constituted under the said Ordinance has not concluded before the date of the commencement of this Ordinance, the proceedings of such Court in the case shall be void; and the case shall be deemed to be transferred, in a Presidency-town to the Chief Presidency Magistrate, or elsewhere to the Subdivisional Magistrate '[if there is one, or if there is not, to the District Magistrate], who may either-

(i) inquire into or try the case himself, or

(ii) transfer the case for inquiry or trial to any Magistrate subordinate to him,

in accordance with the Code of Criminal Procedure, 1898 (V of 1898).

<sup>1</sup>Inserted by Ordinance No. XXVI of 1943.

<sup>2</sup>Added by Ordinance XXXII of 1943.

5. No suit, prosecution or other legal proceedings shall lie in any Court against any servant of the Crown for or on account of or in respect of any sentence passed or any act ordered or done by him whether in exercise of any jurisdiction or power conferred or purporting to have been conferred on him by or under the said Ordinance, or in carrying out any sentence passed by any Court in exercise of any such jurisdiction as aforesaid. Indemnity.



# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### **RULES AND ORDERS ISSUED BY THE PROVINCIAL GOVERNMENT OF BENGAL UNDER THE SPECIAL CRIMINAL COURTS (REPEAL) ORDINANCE, 1943 (ORD. No. XIX OF 1943).**

*Notification No. 101S., dated the 26th June, 1943 (published in the "Calcutta Gazette" of the 1st July, 1943, Pt. I, p. 1143).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts (Repeal) Ordinance, 1943 (Ordinance XIX of 1943), shall apply to the Chittagong Hill-tracts with effect from the date of publication of this notification in the *Calcutta Gazette* in so far as it is not inconsistent with the Chittagong Hill-tracts Regulation, 1900 (I of 1900), or with any rules for the time being in force thereunder, subject to the following modifications, namely:—

that in sub-section (2) of section 3 and section 4 of the said Ordinance for the words "commencement of this Ordinance" the words "application of the Ordinance to the Chittagong Hill-tracts" shall be substituted.

*Notification No. 7916Def., dated the 30th June, 1943 (published in the "Calcutta Gazette" of the 1st July, 1943, Pt. I, p. 1134).*

In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts (Repeal) Ordinance, 1943 (Ordinance XIX of 1943), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district with effect from the date of publication of this notification in the *Calcutta Gazette*, subject to the following modifications, namely:—

that in sub-section (2) of section 2 and in section 4 of the said Ordinance for the words "Commencement of this Ordinance" the words "application of this Ordinance to the Darjeeling district and to the partially excluded areas of the Mymensingh district" shall be substituted.



# DEFENCE LEGISLATION MANUAL (BENGAL)

## Part III—Certain Central Acts and Ordinances relating to the Defence of India during the period 1939 to 1945 with the Rules and Orders made thereunder.

### Chapter I—Civil and Criminal Law

#### 5.—THE HOARDING AND PROFITEERING PREVENTION ORDINANCE, 1943 (ORD. No. XXXV OF 1943).

#### The Hoarding and Profiteering Prevention Ordinance, 1943.

*An Ordinance to provide for the prevention of hoarding  
and profiteering.*

WHEREAS an emergency has arisen which makes it  
necessary to provide for the prevention of hoarding and  
profiteering;

Now, THEREFORE, in exercise of the powers con-  
ferred by section 72 of the Government of India Act, as  
set out in the Ninth Schedule to the Government of  
India Act, 1935 (26 Geo. 5, c. 2), the Governor-General  
is pleased to make and promulgate the following  
Ordinance:—

1. (1) This Ordinance may be called the Hoarding  
and Profiteering Prevention Ordinance, 1943.

Short title,  
extent and  
commencement.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Ordinance, unless there is anything Interpretation.  
repugnant in the subject or context,—

(a) "article" includes any article or thing, except  
foodgrains, which has not by notification in  
the *Official Gazette*, been declared by the  
Central Government to be an article or thing  
to which this Ordinance does not apply;

(b) "dealer" means a person carrying on the  
business of selling any article, whether  
wholesale or retail;

(c) "Controller-General" means the Controller-  
General of Civil Supplies appointed by the  
Central Government and includes <sup>1</sup>[any  
Deputy Controller-General, Assistant Con-  
troller-General, or Deputy Assistant Con-  
troller-General] of Civil Supplies so  
appointed;

<sup>1</sup>Substituted by Ordinance No. XLIII of 1945.

- (d) "inspector" means an inspector appointed for the purposes of this Ordinance by the Central or by the Provincial Government<sup>1</sup>[and includes an assistant inspector];
- (e) "producer" includes a manufacturer;
- (f) an article shall be deemed to be in the possession of a person—
  - (i) when it is held on behalf of that person by another person<sup>2</sup>[or when held by that person on behalf of another person];
  - (ii) Notwithstanding that it is mortgaged to another person.
- <sup>1</sup>(g) the expression "offer for sale" shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of an article, made by the publication of a price list, by exposing the article for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever.

Fixing of maximum quantities which may be held or sold and maximum prices.

3. (1) The Central Government may, by notification in the *Official Gazette*, fix in respect of any article—

- (a) the maximum quantity which may at any one time be possessed by a dealer or producer;
- (b) the maximum quantity which may in any one transaction be sold to any person;
- (c) the maximum price or rate which may be charged by a dealer or producer.

(2) The quantities and prices or rates fixed in respect of any article under this section may be different in different localities<sup>3</sup>[or for different classes of dealers or producers].

Restrictions on possession and sale by dealers and producers where maximum is fixed under section 3.

4. (1) No dealer or producer shall—

- (a) have in his possession at any one time a quantity of any article exceeding the maximum fixed by notification under clause (a) of sub-section (1) of section 3; or
- (b) sell or offer for sale to any person in any one transaction a quantity of any article exceeding the maximum fixed by notification under clause (b) of sub-section (1) of section 3; or
- (c) sell or offer for sale<sup>3</sup>[or otherwise dispose of] to any person any article for a price or at a rate exceeding the maximum fixed by notification under clause (c) of sub-section (1) of section 3.

<sup>1</sup>Added by Ordinance No. XII of 1944.

<sup>2</sup>Inserted by Ordinance No. LIII of 1944.

<sup>3</sup>Inserted by Ordinance No. XII of 1944.

1(2) where a dealer or producer disposes of an article by having it sold by auction on his behalf, the auctioneer as well as the dealer or producer shall be liable to the punishment provided by sub-section (1) of section 13, if in any such sale there is a contravention of clause (c) of sub-section (1).

2(3) Where any article is sold, offered for sale or otherwise disposed of in contravention of sub-section (1) by a dealer or producer through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention, the dealer or producer, as the case may be, and any person having charge on behalf of the dealer or producer of the place where the contravention occurred, shall be liable to the punishment provided by sub-section (1) of section 13, whether or not they were present when the contravention occurred.

5. Where no maximum has been fixed by notification under clause (a) of sub-section (1) of section 3,—

Restrictions on possession by dealers or producers where no maximum is fixed under section 3.

1[(a) no dealer shall have in his possession at any one time a quantity of any article in which he deals exceeding—

(i) if he was in business in the year 1939, one-quarter of the total quantity of that article held by him in the course of that year, or

(ii) if he was not in business in that year, the total quantity of that article sold by him in the course of any period of four consecutive months after that year, or

(iii) in either case, such greater quantity as the Controller-General or other officer empowered in this behalf by the Central or the Provincial Government may by general or special order specify;

(b) no producer shall have in his possession at any one time a quantity of any article which he produces exceeding—

(i) if he was in business in at least one of the years 1940, 1941 and 1942, one-quarter of his total production of that article during that one of the said three years in which his production of the article was greatest, or

(ii) if he was not in business in at least one of the said three years, the total quantity of that article produced by him in the course of any period of four consecutive months after the year 1942, or

<sup>1</sup>Inserted by Ordinance No. XII of 1944.

<sup>2</sup>Added by Ordinance No. LIII of 1944, s. 2.

<sup>3</sup>Substituted by Ordinance No. XLIII of 1945 for the original (a) and (b).



### Definitions.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (1) "appointed cloth retailer" means a person appointed to be cloth retailer under the provisions of paragraph 3;
- (2) "appointed retailer" has the same meaning as in the Bengal Rationing Order, 1943;
- (3) "cloth" has the same meaning as in the Bengal Cotton Cloth and Yarn Control Order, 1945, but does not include cloth manufactured by handloom;
- (4) "Director" means the Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, appointed by the Provincial Government and includes the Additional Director of Rationing and also the Controller of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, appointed by the Provincial Government;
- (5) "prescribed" means prescribed by regulations made under this Order;
- (6) "ration document" means a cloth folder, an identity card, a permit or any part of a cloth folder, or any coupon on a cloth folder, or any declaration, authority or other document issued or made under or in pursuance of the provisions of this Order;
- (7) "rationed area" means in relation to any rationed cloth the area in respect of which that cloth has been specified to be a rationed cloth under clause (8);
- (8) "rationed cloth" means any cloth which the Provincial Government may by notification in the *Official Gazette* in respect of any area specify to be a rationed cloth;
- (9) "rationing date" means in relation to any rationed cloth such date as may be fixed by the Provincial Government in respect of any area for the commencement of rationing of that cloth in that area.

### Authority to cloth retailers to supply rationed cloth in rationed areas.

3. (1) With a view to controlling the distribution of rationed cloth, the Director may by order in writing appoint in respect of any rationed area any person to be a cloth retailer in respect of rationed cloth for the purposes of this Order and thereupon such person shall be entitled to supply rationed cloth within such rationed area in accordance with the provisions of this Order and any regulations made thereunder.

(2) The Director may, at any time, amend, vary or revoke any appointment made under this paragraph whether any application in this behalf has been made by the holder of the appointment or not and without assigning any reason and in every such case the holder of the appointment shall be bound to surrender on demand to the Director or to any officer authorised in writing in this behalf by the Director the order of appointment for endorsement or cancellation, as the case may be.

**Prohibition of supply of rationed cloth by persons other than appointed cloth retailers.**

4. Except as otherwise provided by or under this Order no person other than an appointed cloth retailer shall on or after the rationing date supply or offer or attempt to supply or offer any rationed cloth to any person in any rationed area in which such cloth is rationed.

**Supply by appointed cloth retailers.**

5. Except as otherwise provided in this Order, no appointed cloth retailer shall on or after the rationing date supply or offer or attempt to supply or offer or knowingly permit to be supplied by any agent or servant of such retailer any rationed cloth,—

- (a) except against a ration document,
- (b) in excess of the quantity available on the ration document or the coupons thereon, and
- (c) except under and in accordance with the provisions made by or under this Order.

**Prohibition of obtaining rationed cloth in a rationed area otherwise than on ration documents.**

6. Except as otherwise provided in this Order no person shall on or after the rationing date obtain or attempt to obtain any rationed cloth,—

- (a) except by means of a ration document, available for lawful use and lawfully used,
- (b) in excess of the quantity available on the ration document or the coupons thereon, and
- (c) except under and in accordance with the provisions of this Order.

*Explanation.*—A “ration document” shall not be deemed to be lawfully used unless—

- (a) it is used by or on behalf of the person in whose favour it is issued, and
- (b) the person by or on whose behalf it is used is at the time of its use a resident of the rationed area.

**Exceptions.**

7. The provisions of paragraphs 4 and 6 shall not apply to distribution by any person other than an appointed cloth retailer of any rationed cloth lawfully obtained by such person on a ration document—

- (a) to members of the same household, or
- (b) to any other person either without payment of price of such rationed cloth or in exchange for any other rationed cloth.

### **Power to issue ration documents.**

8. (1) The Director may, with a view to controlling the distribution and supply of rationed cloth, issue or cause to be issued to a person or class of persons or to the public generally a ration document for the purpose of rationing of such cloth.

(2) Every ration document under this Order shall be issued in the prescribed manner and form to such persons and shall be subject to such terms and conditions as may be prescribed and a receipt for every such document shall be given in the prescribed manner by the person to whom it is issued.

(3) The Director or any officer authorised in writing in this behalf by the Director in respect of any rationed area may, at any time, add to, amend, vary or rescind any ration document whether any application in this behalf is made by the person to whom such document is issued or not and without assigning any reason and in every such case the holder of the ration document shall be bound to surrender the same on demand to the Director or such officer for endorsement or cancellation, as the case may be.

### **Prohibition of transfer of ration documents.**

9. No person shall transfer to any other person any ration document issued in respect of himself under the provisions of this Order.

### **Ration documents to remain the property of Provincial Government.**

10. Every ration document issued under this Order shall be the property of the Provincial Government but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order or of any regulations made thereunder shall be entitled to its custody and shall be responsible for its safe custody.

### **Replacement of defaced, lost or destroyed ration documents.**

11. (1) If any ration document is defaced, lost or destroyed, the Director or such officer as may be authorised in writing by the Director in this behalf may, after such inquiry as he may think fit, issue a new ration document in place thereof <sup>1</sup>[on payment of a fee of two annas where such ration document is an identity card and in other cases of a fee of eight annas].

(2) Where a new ration document is issued under sub-paragraph (1) in place of a lost ration document, the person to whom the new ration document has been issued, if he subsequently finds the lost ration documents, shall return the lost ration document forthwith to the officer by whom the new ration document has been issued.

### **Return of ration documents by person in unauthorised possession thereof.**

12. Where any person is in possession of a ration document, and such possession is not authorised by or under this Order, he shall forthwith deliver the same to the officer in charge of the nearest rationing office.

### **Cancellation of ration documents.**

13. Where any ration coupon or other ration document is required to be cancelled under or for the purposes of this Order it shall be cancelled by the competent authority in ink (whether by means of a die or stamp or

<sup>1</sup>Substituted by Notification No. 215 D. C. S., dated the 5th January, 1946.

otherwise), or where the ration coupon is a detachable part of a ration document, either by any of the methods described above or by detaching that part from such ration document, and where it is not possible to cancel it in any of these methods, it shall be cancelled by the competent authority in such manner as the said authority considers suitable and every ration coupon or other ration document shall upon such cancellation cease to be available for lawful use.

### **Power to make regulations.**

14. (1) The Provincial Government may by notification in the *Official Gazette* make regulations for the purpose of giving effect to the provisions of this Order.

(2) Without prejudice to the generality of the foregoing power, such regulations may provide for—

- (a) the manner in which and the conditions subject to which, any rationed cloth may be supplied or obtained, and in particular for—
  - (i) the kind of ration document which shall be issued in any particular case or class of cases;
  - (ii) the manner in which any ration document may be used for supplying or obtaining or keeping or otherwise dealing with any rationed cloth;
  - (iii) the period for which any ration document or part thereof shall be valid;
  - (iv) the number of yards of rationed cloth to be allotted to any person, class of persons or to the public generally during a particular period;
  - (v) the quantity which a ration coupon shall from time to time represent in relation to rationed cloth;
  - (vi) the conditions subject to which any appointed cloth retailer may obtain his supply of rationed cloth;
  - (vii) the conditions subject to which the supply or distribution of any rationed cloth may be authorised otherwise than by means of a ration document; and
  - (viii) any other matter connected with the distribution of any rationed cloth in any rationed area;
- (b) the manner and the forms in which, and the persons to whom, and the terms and conditions subject to which, ration documents shall be issued and the manner in which receipts in respect of ration documents are to be given.

### **Contravention of a regulation deemed to be a contravention of this Order.**

15. For the purposes of sub-rule (4) of rule 81 of the Defence of India Rules any contravention of any regulation made under paragraph 14 of this Order shall be deemed to be a contravention of this Order.

**Power to authorise supply and distribution of rationed cloth otherwise than by means of ration documents.**

16. Notwithstanding any other provisions of this Order, the Director may, subject to such conditions as may be prescribed, authorise the supply or distribution of any rationed cloth otherwise than on a ration document.

**Power of Provincial Government to exempt.**

17. The Provincial Government may by general or special order exempt any person or class of persons from the operation of all or any of the provisions of this Order and may at any time in like manner suspend or cancel any such exemption.

**Power to enter and inspect premises and to require information, accounts, etc.**

18. Any person authorised in writing by the Director in this behalf may for the purpose of securing compliance with the provisions of this Order or of any regulations made thereunder—

- (a) enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of any rationed cloth and inspect any such premises and any rationed cloth therein or thereon;
- (b) require any person to make any statement or furnish any information or to produce any document or article in his possession or under his control, relating to the purchase, sale, distribution, or storage of any rationed cloth and every person so required shall comply with such requisition;
- (c) require any person to render any account or to produce books, accounts or other documents relating to, or believed to be relating to, the purchase, sale, distribution or storage of any rationed cloth and every person so required shall comply with such requisition;
- (d) take or cause to be taken extracts from or copies of any document relating to the purchase, sale, distribution or storage of any rationed cloth which is produced under clause (b) or clause (c) or otherwise found in any such premises.

*Notification No. 11868 D. C. S., dated the 19th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 24th September, 1945, p. 215.)*

**THE CALCUTTA AND INDUSTRIAL AREA CLOTH RATIONING REGULATIONS, 1945.**

In exercise of the powers conferred by paragraph 14 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to make the following regulations in respect of the Calcutta and Industrial Area:—

1. These Regulations may be called the Calcutta and Industrial Area Cloth Rationing Regulations, 1945.

2. In these Regulations unless there is anything repugnant in the subject or context,—

- (1) all expressions used, but not defined, in these regulations which have also been used in the Bengal Cloth Rationing Order, 1945, have the same meanings as in the said order;
- (2) all expressions used, but not defined, in these regulations or in the Bengal Cloth Rationing Order, 1945, which have also been used in the Bengal Rationing Order, 1943, or in the Calcutta Industrial Area Rationing Regulations, 1943, or the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, have the same meanings as in the Bengal Rationing Order, 1943, or, the said regulations;
- (3) "Calcutta and Industrial Area" means the area specified in the Schedule appended to these regulations;
- (4) "godown" means a godown established under the Department of Civil Supplies for the purposes of storage of rationed cloth and their supply to appointed cloth retailers under these regulations;
- (5) "Order" means the Bengal Cloth Rationing Order, 1945;
- (6) "quarter ration period" means the period of 3 months commencing with the rationing date or any successive period of 3 months;
- (7) "ration period" means the period of 12 months commencing with the rationing date or any successive period of 12 months;
- (8) "Sanctioning Authority" means the Director or such officer as may be authorised by the Director to perform all or any of the functions of the Sanctioning Authority under these regulations;
- (9) "sub-area" means an area determined by the Director, which is in charge of a Rationing Officer.

3. For the purpose of obtaining rationed cloth a Cloth Folder issued under these regulations shall be the ration document.

4. The person in whose name a ration document is issued under the Order shall be termed "the holder" thereof.

5. (1) Except as otherwise expressly provided a Cloth Folder issued for the first time to a person of or above the age of 12 years shall consist of 30 coupons and a Cloth Folder issued for the first time to a person below the age of 12 years shall consist of 15 coupons.

(2) A Cloth Folder issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*.

(3) Each coupon on a Cloth Folder shall represent one running yard of cloth.

6. No person shall obtain or attempt to obtain a ration document by furnishing false information.

7. No person shall apply for or obtain or attempt to obtain a ration document if he has already obtained such ration document or if he is in receipt of any rationed cloth from the authorities of His Majesty's Forces or of the Forces of any State in alliance with His Majesty.

8. No person shall obtain or attempt to obtain any rationed cloth by the use of more than one ration document issued in his name or by the use of a ration document issued in the name of any other person who is for the time being not resident within the Calcutta and Industrial Area or by furnishing false information. If more than one ration document of any one kind is issued in the name of any person such person shall forthwith report the fact and surrender the extra document or documents so issued to the Rationing Officer by whom his Ration Card or Identity Card has been issued. If any person whilst in possession of a ration document becomes entitled to draw rationed cloth from the authorities of His Majesty's Forces or the authorities of the Forces of any State in alliance with His Majesty he shall forthwith surrender his ration document to the authorities from whom he has become so entitled to draw rationed cloth.

9. A Cloth Folder shall, subject to the provisions of these regulations, be issued to a person who holds a Ration Card other than a temporary Ration Card in the Calcutta and Industrial Area or to a person in respect of whom an Identity Card has been issued under the provisions of clause 10 in such area.

10. (1) Any person who has resided in the Calcutta and Industrial Area for a period of not less than eight weeks in a residential establishment or in an institution may apply for an Identity Card in such form as may be specified by the Director through the Manager or person in charge of such establishment or institution to the Rationing Officer of the sub-area in which such establishment or institution is situated:

Provided that in the case of a family residing in a residential establishment or institution the head of the family may apply for Identity Cards for himself as well as for other members of his family.

(2) The Rationing Officer, after satisfying himself by such inquiry as he deems fit for verification of the information furnished by the applicant, shall issue to the applicant an Identity Card or Identity Cards in respect of such applicant or in respect of such applicant as well as the members of his family, as the case may be. Before issuing an Identity Card the Rationing Officer shall affix his seal on it. The Identity Card shall be valid for a period of [one year] from the date of issue and the validity of the Identity Card may be extended from time to time by the Rationing Officer by whom the Identity Card was issued. The Rationing Officer shall maintain a register of identity cards issued by him.

11. If any person to whom an Identity Card was issued under sub-clause (2) of clause 10 whilst he was residing in a residential establishment or institution within a sub-area removes from such establishment or institution to a residential establishment or institution situated in another sub-area without obtaining a Cloth Folder against such Identity Card, such person shall surrender such Identity Card to the Rationing Officer of the sub-area to which he has removed and may make a fresh application to such Rationing Officer in such form as may be specified by the Director through the Manager or person in charge of such establishment or institution to which he has removed and, thereupon, such Rationing Officer shall issue a Cloth Folder in the manner provided in clause 14.

12. For the purpose of the distribution of rationed cloth in the Calcutta and Industrial Area, one or more appointed retailers shall be allotted to each appointed cloth retailer.

---

<sup>1</sup>Substituted by Notification No. 3213 D. C. S., dated the 6th March, 1946.

13. (1) Any person to whom a Ration Card other than a temporary Ration Card has been issued in the Calcutta and Industrial Area before the 3rd day of September, 1945, may obtain a Cloth Folder by producing his Ration Card either himself or through an agent to the appointed retailer with whom such Ration Card has been registered.

(2) Any person to whom a Ration Card has for the first time been issued in the Calcutta and Industrial Area on or after the 3rd day of September, 1945, and who has stayed in such area for a period of not less than eight weeks from the date of issue to him of such Ration Card may obtain a Cloth Folder by producing his Ration Card either himself or through an agent to the Rationing Officer by whom his Ration Card has been issued:

Provided that no Cloth Folder shall be issued to such person unless he has before the production of his Ration Card to such Rationing Officer registered his Ration Card with an appointed retailer.

(3) Any person in respect of whom an Identity Card has been issued may obtain a Cloth Folder by producing his Identity Card either himself or through an agent to the Rationing Officer by whom the Identity Card has been issued.

14. (1) On production of a Ration Card or an Identity Card in the manner specified in clause 13, the appointed retailer or the Rationing Officer, as the case may be, shall issue a Cloth Folder against the Ration Card or the Identity Card so produced.

(2) Before issuing the Cloth Folder the appointed retailer or the Rationing Officer, as the case may be, shall affix his seal on the Cloth Folder and stamp the words "Cloth Folder issued" on the Ration Card or Identity Card, as the case may be, with a rubber stamp and shall at the same time enter in ink the following particulars on the Cloth Folder, namely:—

- (a) the name of the holder of the Cloth Folder,
- (b) the address of the holder of the Cloth Folder,
- (c) the serial number, the folio number and the area-index of the Ration Card or the serial number of the Identity Card.
- (d) the number of the appointed cloth retailer to whom the appointed retailer has been allotted,
- (e) the address of the cloth shop or place of business of such appointed cloth retailer,
- (f) the signature of the appointed retailer.
- (g) the date of issue of the Cloth Folder.

(3) Where before the rationing date a person has obtained rationed cloth against a Ration Card, his ration of rationed cloth in the 1st quarter ration period shall be reduced by the quantity so obtained and the appointed retailer or the Rationing Officer, as the case may be, shall at the time of issuing a Cloth Folder cancel 5, 3 or 2 coupons on the Cloth Folder so issued according as the Ration Card against which the rationed cloth had been obtained was a Ration Card of 2 Units, 1 Unit or  $\frac{1}{2}$  Unit respectively.

(4) If a Cloth Folder is issued to any person for the first time under sub-clause (2) of clause 13 at any time after the 1st quarter ration period, such person shall not be entitled to the supply of rationed cloth in respect



of any quarter ration period previous to the quarter ration period in which <sup>1</sup>[the Cloth Folder] has been issued to him and the Rationing Officer by whom such Cloth Folder is issued shall, at the time of issuing the Cloth Folder, cancel such number of coupons on the Cloth Folder as may be available for use for obtaining the quantity of rationed cloth to which such person is not so entitled.

(5) If the Cloth Folder is issued by an appointed retailer it shall be signed by the appointed retailer and also by such person as may be authorised in writing by the Director in this behalf. If the Cloth Folder is issued by a Rationing Officer, it shall be signed by the Rationing Officer, or such officers as may be authorised in writing by the Rationing Officer in this behalf.

(6) The appointed retailer or the Rationing Officer, as the case may be, shall return the Ration Card or Identity Card to the holder thereof or his agent after the Cloth Folder has been issued.

15. Subject to the provisions of sub-clauses (3) and (4) of clause 14 a holder of a Cloth Folder if he is of or above the age of 12 years shall be entitled to a supply of 10 yards of rationed cloth for the 1st quarter ration period, 5 yards of rationed cloth for the 2nd quarter ration period, 5 yards of rationed cloth for the 3rd quarter ration period and such quantity of rationed cloth for the 4th quarter ration period or any subsequent quarter ration period as may be determined by the Provincial Government and a holder of a Cloth Folder if he is below the age of 12 years shall be entitled to a supply of 5 yards of rationed cloth for the 1st quarter ration period, 2½ yards of rationed cloth for the 2nd quarter ration period, 2½ yards of rationed cloth for the 3rd quarter ration period and such quantity of rationed cloth for the 4th quarter ration period or any subsequent quarter ration period as may be determined by the Provincial Government:

Provided that the holder of a Cloth Folder may obtain his supply of rationed cloth for one quarter ration period in any subsequent quarter ration period, if before such subsequent quarter ration period such holder has not drawn the supply of rationed cloth to which he was entitled for such previous quarter ration period.

16. (1) A holder of a Cloth Folder may obtain rationed cloth by producing either himself or through his agent his Cloth Folder together with his Ration Card or Identity Card to the appointed cloth retailer specified in such Cloth Folder:

Provided that the holder of a Cloth Folder, the printed serial number in whose Ration Card ends with the digit 4 or 5 or 6 shall not obtain any rationed cloth before the month of November, 1945 and the holder of a Cloth Folder the printed serial number in whose Ration Card ends with the digit 7 or 8 or 9 or 0 shall not obtain any rationed cloth before the month of December, 1945.

(2) On the production of the Cloth Folder and the Ration Card or the Identity Card of the holder of such Cloth Folder by such holder or his agent, the appointed cloth retailer shall satisfy himself about the eligibility of the holder of such Cloth Folder to purchase rationed cloth at his shop and on receipt of the price and on surrender of the required number of coupons on the Cloth Folder shall against cancellation of such required number of coupons supply rationed cloth in quantities demanded by the holder not exceeding the quantities to which the holder is at the time of such supply entitled under these regulations:

Provided that an appointed cloth retailer shall supply to the holder of a Cloth Folder in a quarter ration period the rationed cloth which such

<sup>1</sup>Substituted by Notification No. 216 D. C. S., dated the 5th January, 1946.

holder is entitled to obtain on his Cloth Folder in one or more succeeding quarter ration periods if such holder is specially authorised by the Director or such officer as may be empowered in this behalf by the Director to obtain such supply from such appointed cloth retailer.

17. On the death of any person, any member of the family of such person, or, where there is no such member, any person may on surrender of the deceased's Cloth Folder, if any, and the deceased's Ration Card or the Identity Card, or in the absence of such documents, on production of satisfactory evidence of the death of such person obtain, on payment of the price, from an appointed cloth retailer specially appointed by the Director for the purpose, rationed cloth for shrouding the dead body or for the use of the mourners or for both, up to a maximum of 20 yards.

*Explanation.*—For the purposes of this clause a certificate of death by the attending physician shall be deemed to be satisfactory evidence of death.

18. (1) An appointed retailer shall maintain a register of all Cloth Folders issued daily from his shop. One copy of the register duly filled up shall be submitted to such officer and at such intervals as may be specified by the Director.

(2) The Rationing Officer shall also maintain a register of all Cloth Folders issued daily by him. Copies of such register shall be submitted to such officer or person and at such intervals as may be specified by the Director.

19. An appointed cloth retailer shall maintain a Daily Sales Register in respect of all rationed cloth issued from his shop in such form as may be specified by the Director.

20. Every appointed cloth retailer shall submit to the Sanctioning Authority a fortnightly stock return and an Indent for rationed cloth in triplicate in such forms as may be specified by the Director together with the total number of coupons surrendered to him. The Indent shall be for the fortnight following that in which it is submitted.

21. The Sanctioning Authority shall scrutinise the Indent and the Stock Return Forms submitted to him by an appointed cloth retailer under clause 20 and issue a Ration Authority specifying therein the quantity of each variety of rationed cloth sanctioned and the godown from which such rationed cloth shall be obtained. One copy of the Ration Authority shall be made over to such appointed cloth retailer or his agent, one copy shall be sent to the godown specified in the Ration Authority and one copy shall be retained by the Sanctioning Authority.

22. The appointed cloth retailer or his agent shall submit the Ration Authority to the person in charge of the godown specified in the Ration Authority. On offer of price and against cancellation of the Ration Authority, the person in charge of the godown shall supply rationed cloth of such quantities and varieties as have been specified in the Ration Authority. The person in charge of the godown shall give a receipt to the appointed cloth retailer on the payment to him of the price of the rationed cloth supplied. The person in charge of the godown shall return the Ration Authority to the Sanctioning Authority after noting therein the quantities and varieties of ration cloth supplied.

23. An appointed cloth retailer shall in respect of his cloth shop maintain regular and accurate accounts of each variety of rationed cloth obtained by him in the Daily Stock Register in such form as may be specified by the Director.

24. (1) An appointed cloth retailer shall sell rationed cloth only at prices not exceeding the ceiling prices marked on the cloth.

(2) An appointed cloth retailer shall issue to every purchaser of rationed cloth a true Cash Memorandum or Credit Note, as the case may be, in respect of such purchase.

25. An appointed cloth retailer shall obey all general or special directions given in writing from time to time by the Director concerning the manner in which and the conditions subject to which any rationed cloth may be supplied or obtained.

### **The Schedule.**

[See Regulation 2(3).]

#### *The Calcutta and Industrial Area.*

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

2. The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

3. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

4. The municipalities of Howrah and Bally in the district of Howrah.

5. The *mouza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

6. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

7. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 11867 D. C. S., dated the 19th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 24th September, 1945).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to direct that the said Order shall come into force on the 24th September 1945, in the areas specified in the Schedule below:—

### **The Schedule.**

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

2. The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

3. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

4. The municipalities of Howrah and Bally in the district of Howrah.

5. The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

6. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

7. The municipalities of (1) Uttarpura, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 11989 D. C. S., dated the 22nd September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 24th September, 1945).*

In exercise of the power conferred by sub-section (3) of section 175 of the Government of India Act, 1945, the Governor is pleased to direct that all agreements for the taking of security deposit from cloth retailers appointed under the Bengal Cloth Rationing Order, 1945, in the standard form approved by the Department of Civil Supplies may be executed on his behalf by the Director of Rationing in the Directorate General of Food in the Department of Civil Supplies, Bengal.

*Notification No. 2833 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to direct that the said Order shall come into force on the 11th March, 1946, in the areas specified in the Schedule below:—

### **The Schedule.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the *mauza* Bara Magbazar bearing J. L. No. 280 in the C. S. Khatians within the police-station Tejgaon in the said district.

(2) The part of *mauza* No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of *mauza* No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of *mauza* Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of *mauza* Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of *mauza* Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of *mauza* Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

**(6) The premises of—**

- (a) the Lakhsinarayan Cotton Mills, Limited,
- (b) the Narayangunj Company, Limited,
- (c) the Chittaranjan Cotton Mills, Limited,
- (d) the Dhakeswari Cotton Mills, No. 2, Limited,
- (e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,
- (f) the Dhakeswari Cotton Mills, No. 1, Limited, and
- (g) the Bose's Glass Factory,

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502 in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

(8) Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 12200 D. C. S., dated the 27th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945).*

In exercise of the power conferred by clause (8) of paragraph 2 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to specify each kind of cloth mentioned in Schedule I below to be a rationed cloth in respect of the areas specified in Schedule II below:—

### Schedule I.

Mill-made cloth of the following kinds manufactured in India <sup>1</sup>[other than fents thereof below 36 inches in length sold as such by mill authorities], namely:—

- (1) Dhotees, (2) Sarees, (3) Mulls, addis, voiles and nainsukhs (whether plain, printed, or processed), (4) Coatings, (5) Shirtings, (6) Prints, (7) Lungis.

*Explanation.*—For the purposes of this Schedule—

- (a) "coatings" include drills and ducks, whether grey, bleached or dyed,
- (b) "shirtings" include longcloth, poplin, markin, grey shirting, twill (whether grey, bleached or dyed), crepe, *salidas* and *malidas*.

### Schedule II.

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

<sup>1</sup>Inserted by notification No. 3315 D. C. S., dated the 7th March, 1946.

2. The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

3. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

4. The municipalities of Howrah and Bally in the district of Howrah.

5. The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

6. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, and (15) Kauchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

7. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 2834 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by clause (8) of paragraph 2 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to specify each kind of cloth mentioned in Schedule I below to be a rationed cloth in respect of the areas specified in Schedule II below :—

#### **Schedule I.**

Mill-made cloth of the following kinds manufactured in India, namely :—

(1) *Dhotees*, (2) *Sarrees*, (3) *Mulls*, *addis*, *voiles* and *nainsukhs* (whether plain, printed, or processed), (4) *Coatings*, (5) *Shirtings*, (6) *Prints*, (7) *Langis*.

*Explanation.*—For the purposes of this Schedule—

- (a) "coatings" include drills and ducks, whether grey, bleached or dyed,
- (b) "shirtings" include longcloth, poplin, markin, grey shirting, twill (whether grey, bleached or dyed) crepe, *salidas* and *malidas*.

#### **Schedule II.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the *mauza* Bara Magbazar bearing J. L. No. 280 in the C. S. Khatians within the police-stations Tejgaon in the said district.

(2) The part of *mauza* No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of *mauza* No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of *mauza* Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of *mauza* Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the ~~Lakhsinarayan~~ Cotton Mills, Limited.

(b) the Narayangunj Company, Limited.

(c) the Chittaranjan Cotton Mills, Limited.

(d) the Dhakeswari Cotton Mills, No. 2, Limited.

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited.

(f) the Dhakeswari Cotton Mills, No. 1, Limited and

(g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502 in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

(8) Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 12201 D. C. S., dated the 27th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to fix the 1st day of October, 1945, as the rationing date in relation to the rationed cloth specified in Schedule I below in respect of the areas specified in Schedule II below for the commencement of rationing of such cloth in such areas:—

#### **Schedule I.**

Mill-made cloth of the following kinds manufactured in India, namely:—

- (1) *Dhotees*, (2) *Sarees*, (3) *Mulls*, *addis*, *voiles* and *nainsukhs* (whether plain, printed or processed), (4) *Coatings*, (5) *Shirtings*, (6) *Prints*, (7) *Lungis*.

*Explanation.*—For the purposes of this Schedule—

(a) "coatings" include drills and ducks, whether grey, bleached or dyed,

(b) "shirtings" include longcloth, poplin, markin, grey shirting, twill (whether grey, bleached or dyed), crepe, *salidas* and *malidas*.

**Schedule II.**

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

2. The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

3. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

4. The municipalities of Howrah and Bally in the district of Howrah.

5. The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

(6) The municipalities of (1) Budge Budge (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

7. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 2835 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to fix the 11th day of March, 1946, as the rationing date in relation to the rationed cloth specified in Schedule I below in respect of the areas specified in Schedule II below for the commencement of rationing of such cloth in such areas:—

**Schedule I.**

Mill-made cloth of the following kinds manufactured in India, namely:—

- (1) *Dhotees*, (2) *Sarees*, (3) *Mulls*, *addis*, *voiles* and *nainsukhs* (whether plain, printed, or processed), (4) *Coatings*, (5) *Shirtings*, (6) *Prints*, (7) *Lungis*.

*Explanation*.—For the purposes of this Schedule—

- (a) "coatings" include drills and ducks, whether grey, bleached or dyed,
- (b) "shirtings" include longcloth, poplin, markin, grey shirting, twill (whether grey, bleached or dyed), crepe, *salidas* and *malidas*.

**Schedule II.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the *mauza* Bara Maghazar bearing J. L. No. 280 in the C. S. Khatians within the police-station Tejgaon in the said district.

(2) The part of *mauza* No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of *mauza* No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.



II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the Lakhsinarayan Cotton Mills, Limited,

(b) the Narayangunj Company, Limited,

(c) the Chittaranjan Cotton Mills, Limited,

(d) the Dhakeswari Cotton Mills, No. 2, Limited,

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,

(f) the Dhakeswari Cotton Mills, No. 1, Limited, and

(g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502 in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

(8) Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 2836 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

### **The Dacca-Narayangunj Urban Area Cloth Rationing Regulations, 1946.**

In exercise of the powers conferred by paragraph 14 of the Bengal Cloth Rationing Order, 1945, the Governor is pleased to make the following regulations in respect of the Dacca-Narayangunj Urban Area:—

1. These Regulations may be called the Dacca-Narayangunj Urban Area Cloth Rationing Regulations, 1946.

2. In these Regulations, unless there is anything repugnant in the subject or context,—

(1) all expressions used, but not defined in these regulations which have also been used in the Bengal Cloth Rationing Order, 1945, have the same meanings as in the said order;

- (2) all expressions used, but not defined, in these regulations or in the Bengal Cloth Rationing Order, 1945, which have also been used in the Bengal Rationing Order, 1943, or in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945, have the same meanings as in the Bengal Rationing Order, 1943, or, the said regulations;
  - (3) "Dacca-Narayangunj Urban Area" means the area specified in the Schedule appended to these regulations;
  - (4) "godown" means a godown established under the Department of Civil Supplies for the purposes of storage of rationed cloth and their supply to appointed cloth retailers under these regulations;
  - (5) "Order" means the Bengal Cloth Rationing Order, 1945;
  - <sup>1</sup>(6) "quarter ration period" means the period commencing with the rationing date and ending with the 31st May, 1946, or any successive period of three months after the said 31st May, 1946;
  - <sup>1</sup>(7) "ration period" means the period commencing with the rationing date and ending with the 28th February, 1947, or any successive period of twelve months after the said 28th February, 1947;
  - (8) "Sanctioning Authority" means the Director or such officer as may be authorised by the Director to perform all or any of the functions of the Sanctioning Authority under these regulations.
3. For the purpose of obtaining rationed cloth a Cloth Folder issued under these regulations shall be the ration document.
4. The person in whose name a ration document is issued under the Order shall be termed "the holder" thereof.
5. (1) Except as otherwise expressly provided a Cloth Folder issued for the first time to a person of or above the age of 12 years shall consist of 30 coupons and a Cloth Folder issued for the first time to a person below the age of 12 years shall consist of 15 coupons.
- (2) A Cloth Folder issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*.
- (3) Each coupon on a Cloth Folder shall represent one running yard of cloth.
6. No person shall obtain or attempt to obtain a ration document by furnishing false information.
7. No person shall apply for or obtain or attempt to obtain a ration document if he has already obtained such ration document or if he is in receipt of any rationed cloth from the authorities of His Majesty's Forces or of the Forces of any State in alliance with His Majesty.
8. No person shall obtain or attempt to obtain any rationed cloth by the use of more than one ration document issued in his name or by the use of a ration document issued in the name of any other person who is for the time being not resident within the Dacca-Narayangunj Urban Area or by furnishing false information. If more than one ration document of any one kind is issued in the name of any person such person shall forthwith report the fact and surrender the extra document or documents so issued to the Assistant Rationing Officer by whom his Ration Card or Identity Card has been issued. If any person whilst in possession of a ration document

<sup>1</sup>Substituted by notification No. 4536 D. C. S., dated the 1st April, 1946.

becomes entitled to draw rationed cloth from the authorities of His Majesty's Forces or the authorities of the Forces of any State in alliance with His Majesty he shall forthwith surrender his ration document to the authorities from whom he has become so entitled to draw rationed cloth.

9. A Cloth Folder shall, subject to the provisions of these regulations, be issued to a person who holds a Ration Card other than a temporary Ration Card in the Dacca-Narayangunj Urban Area or to a person in respect of whom an Identity Card has been issued under the provisions of clause 10 in such area.

10. (1) Any person who has resided in the Dacca-Narayangunj Urban Area for a period of not less than eight weeks in a residential establishment or in an institution may apply for an Identity Card in such form as may be specified by the Director through the Manager or person in charge of such establishment or institution to the Assistant Rationing Officer of the sub-area in which such establishment or institution is situated:

Provided that in the case of a family residing in a residential establishment or institution the head of the family may apply for Identity Cards for himself as well as for other members of his family.

(2) The Assistant Rationing Officer after satisfying himself by such inquiry as he deems fit for verification of the information furnished by the applicant, shall issue to the applicant an Identity Card or Identity Cards in respect of such applicant or in respect of such applicant as well as the members of his family, as the case may be. Before issuing an Identity Card the Assistant Rationing Officer shall affix his seal on it. The Identity Card shall be valid for a period of six months from the date of issue and the validity of the Identity Card may be extended from time to time by the Assistant Rationing Officer by whom the Identity Card was issued. The Assistant Rationing Officer shall maintain a register of Identity Cards issued by him.

11. If any person to whom an Identity Card was issued under sub-clause (2) of clause 10 whilst he was residing in a residential establishment or institution within a sub-area removes from such establishment or institution to residential establishment or institution situated in another sub-area without obtaining a Cloth Folder against such Identity Card, such person shall surrender such Identity Card to the Assistant Rationing Officer of the sub-area to which he has removed and may make a fresh application to such Assistant Rationing Officer in such form as may be specified by the Director through the Manager or person in charge of such establishment or institution to which he has removed and, thereupon, such Assistant Rationing Officer shall issue a Cloth Folder in the manner provided in clause 14.

12. For the purpose of the distribution of rationed cloth in the Dacca-Narayangunj Urban Area, one or more appointed retailers shall be allotted to each appointed cloth retailer.

13. (1) Any person to whom a Ration Card other than a temporary Ration Card has been issued in the Dacca-Narayangunj Urban Area before the 3rd day of February, 1946, may obtain a Cloth Folder by producing his Ration Card either himself or through an agent to the appointed retailer with whom such Ration Card has been registered.

(2) Any person to whom a Ration Card has for the first time been issued in the Dacca-Narayangunj Urban Area on or after the 3rd day of

February, 1946, and who has stayed in such area for a period of not less than eight weeks from the date of issue to him of such Ration Card may obtain a Cloth Folder by producing his Ration Card either himself or through an agent to the Assistant Rationing Officer by whom his Ration Card has been issued :

Provided that no Cloth Folder shall be issued to such person unless he has before the production of his Ration Card to such Assistant Rationing Officer registered his Ration Card with an appointed retailer.

(3) Any person in respect of whom an Identity Card has been issued may obtain a Cloth Folder by producing his Identity Card either himself or through an agent to the Assistant Rationing Officer by whom the Identity Card has been issued.

14. (1) On production of a Ration Card or an Identity Card in the manner specified in clause 13, the appointed retailer or the Assistant Rationing Officer, as the case may be, shall issue a Cloth Folder against the Ration Card or the Identity Card so produced.

(2) Before issuing the Cloth Folder the appointed retailer or the Assistant Rationing Officer, as the case may be, shall affix his seal on the Cloth Folder and stamp the words "Cloth Folder issued" on the Ration Card or Identity Card, as the case may be, with a rubber stamp and shall at the same time enter in ink the following particulars on the Cloth Folder, namely :—

- (a) the name of the holder of the Cloth Folder,
- (b) the address of the holder of the Cloth Folder,
- (c) the serial number, the folio number and the area-index of the Ration Card or the serial number of the Identity Card,
- (d) the number of the appointed cloth retailer to whom the appointed retailer has been allotted,
- (e) the address of the cloth shop or place of business of such appointed cloth retailer,
- (f) the signature of the appointed retailer,
- (g) the date of issue of the Cloth Folder.

(3) If a Cloth Folder is issued to any person for the first time under sub-clause (2) of clause 13 at any time after the 1st quarter ration period, such person shall not be entitled to the supply of rationed cloth in respect of any quarter ration period previous to the quarter ration period in which the Cloth Folder has been issued to him and the Assistant Rationing Officer by whom such Cloth Folder is issued shall, at the time of issuing the Cloth Folder, cancel such number of coupons on the Cloth Folder as may be available for use for obtaining the quantity of rationed cloth to which such person is not so entitled.

(4) If the Cloth Folder is issued by an appointed retailer it shall be signed by the appointed retailer and also by such person as may be authorised in writing by the Director in this behalf. If the Cloth Folder is issued by an Assistant Rationing Officer, it shall be signed by the Assistant Rationing Officer or such officers as may be authorised in writing by the Assistant Rationing Officer in this behalf.

(5) The appointed retailer or the Assistant Rationing Officer, as the case may be, shall return the Ration Card or Identity Card to the holder thereof or his agent after the Cloth Folder has been issued.

15. Subject to the provisions of sub-clause (3) of clause 14, a holder of a Cloth Folder if he is or above the age of 12 years shall be entitled to a

supply of 10 yards of rationed cloth for the 1st quarter ration period, 5 yards of rationed cloth for the 2nd quarter ration period, 5 yards of rationed cloth for the 3rd quarter ration period and such quantity of rationed cloth for the 4th quarter ration period or any subsequent quarter ration period as may be determined by the Provincial Government and a holder of a Cloth Folder if he is below the age of 12 years shall be entitled to a supply of 5 yards of rationed cloth for the 1st quarter ration period,  $2\frac{1}{2}$  yards of rationed cloth for the 2nd quarter ration period,  $2\frac{1}{2}$  yards of rationed cloth for the 3rd quarter ration period and such quantity of rationed cloth for the 4th quarter ration period or any subsequent quarter ration period as may be determined by the Provincial Government:

Provided that the holder of a Cloth Folder may obtain his supply of rationed cloth for one quarter ration period in any subsequent quarter ration period, if before such subsequent quarter ration period such holder has not drawn the supply of rationed cloth to which he was entitled for such previous quarter ration period.

16. (1) A holder of a Cloth Folder may obtain rationed cloth by producing either himself or through his agent his Cloth Folder together with his Ration Card or Identity Card to the appointed cloth retailer specified in such Cloth Folder:

Provided that the holder of a Cloth Folder, the printed serial number in whose Ration Card ends with the digit 4 or 5 or 6 shall not obtain any rationed cloth before the month of April, 1946 and the holder of a Cloth Folder the printed serial number in whose Ration Card ends with the digit 7 or 8 or 9 or 0 shall not obtain any rationed cloth before the month of May, 1946.

(2) On the production of the Cloth Folder and the Ration Card or the Identity Card of the holder of such Cloth Folder by such holder or his agent, the appointed cloth retailer shall satisfy himself about the eligibility of the holder of such Cloth Folder to purchase rationed cloth at his shop and on receipt of the price and on surrender of the required number of coupons on the Cloth Folder shall against cancellation of such required number of coupons supply rationed cloth in quantities demanded by the holder not exceeding the quantities to which the holder is at the time of such supply entitled under these regulations:

Provided that an appointed cloth retailer shall supply to the holder of a Cloth Folder in a quarter ration period the rationed cloth which such holder is entitled to obtain on his Cloth Folder in one or more succeeding quarter ration periods if such holder is specially authorised by the Director or such officer as may be empowered in this behalf by the Director to obtain such supply from such appointed cloth retailer.

17. On the death of any person, any member of the family of such person, or, where there is no such member, any person may on surrender of the deceased's Cloth Folder, if any, and the deceased's Ration Card or the Identity Card, or in the absence of such documents, on production of satisfactory evidence of the death of such person obtain, on payment of the price, from an appointed cloth retailer specially appointed by the Director for the purpose, rationed cloth for shrouding the dead body or for the use of the mourners, or for both, up to a maximum of 20 yards.

*Explanation.*—For the purposes of this clause a certificate of death by the attending physician shall be deemed to be satisfactory evidence of death.

18. (1) An appointed retailer shall maintain a register of all Cloth Folders issued daily from his shop. One copy of the register duly filled up shall be submitted to such officer and at such intervals as may be specified by the Director.

(2) The Assistant Rationing Officer shall also maintain a register of all Cloth Folders issued daily by him. Copies of such register shall be submitted to such officer or person and at such intervals as may be specified by the Director.

19. An appointed cloth retailer shall maintain a Daily Sales Register in respect of all rationed cloth issued from his shop in such form as may be specified by the Director.

20. Every appointed cloth retailer shall submit to the Sanctioning Authority a fortnightly stock return and an Indent for rationed cloth in triplicate in such forms as may be specified by the Director together with the total number of coupons surrendered to him. The Indent shall be for the fortnight following that in which it is submitted.

21. The Sanctioning Authority shall scrutinise the Indent and the Stock Returns Forms submitted to him by an appointed cloth retailer under clause 20 and issue a Ration Authority specifying therein the quantity of each variety of rationed cloth sanctioned and the godown from which such rationed cloth shall be obtained. One copy of the Ration Authority shall be made over to such appointed cloth retailer or his agent, one copy shall be sent to the godown specified in the Ration Authority and one copy shall be retained by the Sanctioning Authority.

22. The appointed cloth retailer or his agent shall submit the Ration Authority to the person in charge of the godown specified in the Ration Authority. On offer of price and against cancellation of the Ration Authority, the person in charge of the godown shall supply rationed cloth of such quantities and varieties as have been specified in the Ration Authority. The person in charge of the godown shall give a receipt to the appointed cloth retailer on the payment to him of the price of the rationed cloth supplied. The person in charge of the godown shall return the Ration Authority to the Sanctioning Authority after noting therein the quantities and varieties of rationed cloth supplied.

23. An appointed cloth retailer shall in respect of his cloth shop maintain regular and accurate accounts of each variety of rationed cloth obtained by him in the Daily Stock Register in such form as may be specified by the Director.

24. (1) An appointed cloth retailer shall sell rationed cloth only at prices not exceeding the ceiling prices marked on the cloth.

(2) An appointed cloth retailer shall issue to every purchaser of rationed cloth a true Cash Memorandum or Credit Note, as the case may be, in respect of such purchase.

25. An appointed cloth retailer shall obey all general or special directions given in writing from time to time by the Director concerning the manner in which and the conditions subject to which any rationed cloth may be supplied or obtained.

### **The Schedule.**

[See sub-clause (3) of clause 2.]

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing J. L. No. 280 in the C. S. Khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isadair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the Lakhsinarayan Cotton Mills, Limited,

(b) the Narayangunj Company, Limited,

(c) the Chittaranjan Cotton Mills, Limited,

(d) the Dhakeswari Cotton Mills, No. 2, Limited,

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,

(f) the Dhakeswari Cotton Mills, No. 1, Limited, and

(g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502, in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

(8) Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 2281 D. C. S., dated the 18th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 27th February, 1946).*

### **The Bengal Cotton Cloth and Yarn Control Order, 1946.**

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said

rule that notice of the Order shall be given by the publication of the same in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

1. (1) This Order may be called the Bengal Cotton Cloth and Yarn Control Order, 1946.

(2) It extends to the whole of Bengal, except the Chittagong Hill-tracts.

(3) It shall come into force on the 1st of March, 1946.

2. The Bengal Cotton Cloth and Yarn Control Order, 1945, is hereby repealed:

Provided that anything done under any provision of that Order before the 1st of March, 1946, shall be deemed to have been done under the corresponding provision of this Order:

Provided further that any reference in any order issued under the Defence of India Rules or in any notification issued thereunder to any provision of the Bengal Cotton Cloth and Yarn Control Order, 1945, shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Order.

3. In this Order, unless there is anything repugnant in the subject or context,—

- (a) “broker” means a person employed by a dealer to buy cloth or yarn or both from another dealer or to sell cloth or yarn or both to another dealer;
- (b) “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (c) “cloth” and “yarn” means respectively any type of cloth and yarn either manufactured wholly from cotton or manufactured partly from cotton and partly from any other material and containing not less than ten per centum cotton by weight, and “cloth” includes cloth made into garments and yarn made into hosiery goods, but does not include articles which are Indian woollen goods as defined in the Indian Woollen Goods (Control) Order, 1944;
- (d) “commission agent” means a person authorised by a dealer to buy cloth or yarn or both on his behalf;
- (e) “Controller” means in Calcutta the Director of Textiles and elsewhere, the Officer appointed by the Director-General to perform the functions of the Controller under this Order;
- (f) “dealer” means a person other than a manufacturer, engaged in the business of buying and selling or storing for sale cloth or yarn or both, whether or not in conjunction with any other business, and includes a quota-holder, an importer, a wholesale dealer, a retail dealer, a hawker, a commission agent, a broker, a mill’s selling agent, a dealer in hosiery goods or yarn, a dealer in ready-made garments of cloth, the proprietor of a tailoring establishment;
- (g) “dealer in ready-made garments” means a person who engages in the business of buying and selling or making and selling or storing for sale ready-made garments other than dhotis and saris;



- (h) "Director of Textiles" means the Director of Textiles appointed by the Provincial Government and includes any Additional Director of Textiles or any Officer authorised by the Director-General by order in writing to perform all or any of the functions of the Director of Textiles, under this Order;
- (i) "Director-General" means the Director-General of Civil Supplies, Consumer Goods, appointed by the Provincial Government;
- (j) "Director-General of Enforcement" means the Director-General of Civil Supplies, Enforcement, appointed by the Provincial Government;
- (k) "hawker" means a person who goes from place to place or from house to house carrying or exposing for sale for consumption by the purchasers, cloth or yarn or both, or samples of cloth or yarn or both to be afterwards delivered to such purchasers;
- (l) "importer" means a person other than a quota-holder who imports cloth or yarn or both into the province of Bengal for sale;
- (m) "manufacturer" means a person engaged in the manufacture of cloth or yarn or both and includes a person who uses cloth or yarn or both as an accessory in the course of his trade, business or profession, but does not include a processor, weaver or a person who makes garments from cloth;
- (n) "mill's selling agent" means a person appointed by a mill to receive cloth or yarn or both from the mill for distribution to dealers to whom the mill is permitted to sell its cloth or yarn;
- (o) "processor" means a person other than a manufacturer or weaver who is engaged in the work of carrying out any process on cloth or yarn, such as dyeing, bleaching, printing, embroidering or any similar process, which effects some permanent or semi-permanent change in the appearance of the cloth or yarn, but does not include a person who carries out any such process only on cloth and yarn supplied by his customers;
- (p) "quota-holder" means a person who obtains cloth or yarn or both directly from a mill situated in India at the *ex-mill* price by virtue of his having purchased cloth or yarn from that mill during the years 1940, 1941 and 1942;
- (q) "retail dealer" means a dealer who sells cloth for consumption by the purchasers only and sells yarn to weavers only and includes a tailoring establishment;
- (r) "Textile Licensing Officer" means,—
- (i) in Calcutta, the officer appointed as such by the Provincial Government and includes any other officer appointed by the Director-General of Enforcement to perform the functions of the Textile Licensing Officer under this Order; and
- (ii) elsewhere, the Subdivisional Magistrate and includes any other officer appointed by the District Magistrate to perform the functions of the Textile Licensing Officer under this Order;
- (s) "weaver" means a person who manufactures cloth from yarn solely by manual power and includes a master weaver;
- (t) "wholesale dealer" means a dealer who sells cloth or yarn or both to a manufacturer or to another dealer.

4. No person shall engage in any undertaking which involves the manufacture, purchase, sale or storage for sale of cloth or yarn or both unless he holds a licence in this behalf under this Order and except in accordance with the conditions specified in such licence:

Provided that all persons manufacturing hosiery goods by using hand-plant and charka spinners shall be exempt from the operation of the provisions of this paragraph.

5. All applicants for licences or renewal of licences under this Order shall, for the purposes of this Order, be classified under one of the groups specified in Schedule I to this Order and the licence fees payable by persons classified under any of the said groups shall be the amount specified against that group.

6. (1) All applications for the issue of licences under this Order shall be made to the Textile Licensing Officer in Form A as set forth in Schedule II to this Order.

(2) The licence fee referred to in paragraph 5 shall be paid in non-judicial stamps and shall be filed along with the application for licence or renewal of licence and no licence shall be issued unless the licence fees in respect thereof under the said paragraph have been paid.

7. Licences under this Order shall be issued by the Textile Licensing Officer in Form B as set forth in Schedule II to this Order.

8. The Textile Licensing Officer may, for reasons to be recorded in writing, refuse to grant a licence under this Order.

9. Notwithstanding anything contained in this Order, the Director-General or the Director-General of Enforcement may, without assigning any reason, direct that any application for a licence or for the renewal of a licence be refused or that a licence already granted or renewed be suspended or cancelled.

10. (1) Every licence issued under this Order shall specify—

- (a) the class of business in respect of which the licence is granted;
- (b) the premises or the area in which the licensee shall carry on business; and
- (c) the premises or places where cloth or yarn may be stored by the licensee.

(2) A licence issued under this Order shall ordinarily authorise the licensee to carry on business in any of the manners specified in the different items of the particular group in Schedule I to this Order under which he has been classified under paragraph 5:

Provided that it shall be competent for the Textile Licensing Officer to restrict the licensee to the carrying on of business in the manner specified in any one or more of the items of the particular group under which he has been classified.

(3) A licensee who has been classified under any of the groups specified in Schedule I to this Order and has been granted a licence under this Order authorising him to carry on business in the manner specified in any or all of the items under that group, shall not carry on business in the manner specified in any of the items under any other group in that Schedule unless he holds a separate licence issued to him in that behalf under this Order.

(4) No licensee shall carry on his business or store any cloth or yarn to which the licence relates except in the premises, area or places, as the case may be, specified in his licence.

(5) If the licensee intends to store any cloth or yarn in any place, premises or godown other than one of those already mentioned in the licence, he shall intimate the address of such place premises or godown to the Controller and the Textile Licensing Officer and shall not store any cloth or yarn in such place, premises or godown until the Textile Licensing Officer has endorsed it on the licence.

(6) If the licensee is carrying on business in more than one place, a separate licence shall be taken for every such place of business:

Provided that where a licensee is a retail dealer and carrying on business in more than one place, he may take out a consolidated licence in respect of issue of such licence on payment of a licence fee in accordance with the scale specified in Schedule III:

Provided further that if a licensee who has taken out a consolidated licence under the first proviso opens one or more new places of business after the date of issue of such consolidated licence for carrying on business as a retail dealer, a separate licence for each such new place of business opened may be granted under this Order on payment by such licence fee at the rate of Rs. 8 for each such new shop, but the total amount of the licence fee paid in respect of such a consolidated licence and the amount of the licence fees payable in respect of all places of business opened after the issue of such consolidated licence shall in no case exceed five hundred rupees.

*Explanation.*—For the purposes of this sub-paragraph, a godown or any other premises or place where cloth or yarn to which the licence relates is stored shall not be deemed to be a separate place of business.

(7) Every licensee who has been classified under Group F, specified in Schedule I to this Order and has been granted a licence under this Order in respect of one or more handlooms shall paint or cause to be painted clearly in English numerals not less than three inches in height, in the case where the licence has been granted in respect of one handloom, the number allotted to the licence in a prominent place on such handloom and, in the case where the licence has been granted in respect of more than one handloom, the number allotted to the licence followed respectively by the serial number of each such handloom in a prominent place on each such handloom.

*Illustration.*—If the licence has been granted in respect of, say, four handlooms, they shall be painted with the following figures, namely:—

569/1, 569/2, 569/3 and 569/4, respectively. If the licence has been granted in respect of only one handloom it shall be painted with the figures 569.

11. (1) Every licence issued under this Order shall be valid up to the 31st of March next following the date of its issue and may at the discretion of the Textile Licensing Officer be renewed for successive periods of one year on application made in that behalf to the Textile Licensing Officer before the expiry of the date of the validity of the licence and on payment in non-judicial stamps of the fees referred to in paragraph 5.

(2) The Textile Licensing Officer shall grant a receipt in such form as the Director-General of Enforcement may determine for the application and the licence fees paid and this receipt will be authority for the applicant for renewal to continue his business unless the licence is refused:

Provided that the Director-General or the Director-General of Enforcement may by notification extend the time for filing of applications for

renewal of licences and may require payment of an extra fee for any application to be filed after the due date :

Provided further that the Textile Licensing Officer may, for reasons to be recorded in writing refuse to renew a licence.

12. If a licence granted under this Order is defaced, lost or destroyed, the Textile Licensing Officer may after making such inquiry as he deems necessary, issue a fresh licence in place thereof on payment of a fee of one rupee, and thereupon the licence that has been defaced, lost or destroyed shall be deemed to be cancelled.

13. (1) Every dealer shall comply with any special or general directions issued to him in writing by the Controller for the purposes of this Order.

(2) Notwithstanding any order issued by any other authority, the Controller may from time to time issue directions to a dealer holding stocks of cloth or yarn to supply to such other dealers or persons, such quantities of cloth or yarn at such rates within such time as may be specified by the Controller and may from time to time issue such general or special directions to a dealer with regard to the storage, sale and transport of cloth or yarn as the Controller may deem fit.

(3) A dealer shall not sell in any one transaction to another dealer holding a licence under this Order or to a weaver or to any other purchaser, as the case may be, cloth or yarn exceeding such quantity as may be specified in this behalf by the Controller.

14. Every holder of a licence issued under this Order shall furnish such information as the Director-General or the Director-General of Enforcement or the Controller or any officer authorised in this behalf in writing by the Director-General or the Director-General of Enforcement or the Controller may by general or special order demand of him for the purposes of this Order.

15. Every dealer shall keep in such form as may be specified in this behalf by the Director of Textiles such books of accounts and other records relating to his undertaking as the Director of Textiles may, by general or special order, direct.

16. Every holder of a licence under this Order other than a hawker or a weaver shall, by the 10th day of February, 10th day of May, 10th day of August and 10th day of November, in each year, submit to the Controller a true statement of stocks of cloth and yarn held by him on the last date of the preceding month of January, April, July and October respectively in such form as may be specified by the Director of Textiles.

17. (1) Where the maximum prices of any cloth or yarn have not been fixed under clause 10 of the Cotton Cloth and Yarn (Control) Order 1943, the maximum prices at which such cloth or yarn may be sold shall be such as may be fixed by the Director-General and the maximum prices so fixed may be different for different classes of cloth and yarn and for different classes of dealers.

(2) No person shall sell or offer to sell or purchase any cloth or yarn of which the maximum price has been fixed under the Cotton Cloth and Yarn (Control) Order, 1943, or under sub-paragraph (1) at a price higher than the maximum price so fixed.

18. Any officer authorised in this behalf by the Director-General of Enforcement or by the Controller by general or special order in writing may enter upon and inspect any premises in which he has reason to believe that the manufacture, purchase, sale or storage for sale of any cloth or yarn is taking place contrary to the provisions of this Order.

19. No manufacturer of yarn shall sell yarn to any person other than a dealer holding a licence in respect of purchase or sale or storage for sale of yarn under this Order, a manufacturer, a weaver or any person purchasing yarn on behalf of the Central Government or any Provincial Government.

20. (1) A dealer other than a hawker shall display in a conspicuous position at his place of business a list in the most commonly understood language of the locality showing the maximum legal price in respect of all such kinds of cloth in his shop or store as have prices stamped thereon and shall not withhold from sale any such cloth to any person on demand and offer of the maximum legal price.

(2) A hawker shall carry a list in the most commonly understood language of the locality showing the maximum retail prices of all such kinds of cloth carried or exposed for sale by him as have prices stamped thereon.

21. (1) Every dealer, other than a hawker, shall issue to every person who purchases any cloth or yarn from him a true cash memorandum or credit note, as the case may be, in respect of such purchase, of which such dealer shall keep a duplicate which shall be produced by such dealer for inspection on demand by the Textile Licensing Officer or any officer authorised in writing by such officer in this behalf and which shall contain the following details, namely:—

- (a) the name, licence number and address of the dealer;
- (b) the date of the transaction;
- (c) the name and address and licence number (if any), of the purchaser;
- (d) a detailed description of goods sold;
- (e) the quantity sold;
- (f) the rate at which such goods were sold;
- (g) the unit of sale;

*Explanation.*—In this item “unit” means the unit of quantity by reference to which the goods are sold.

- (h) the total price of each item of goods sold in the transaction; and
- (i) the salesman's signature.

(2) The duplicate of every cash memorandum and every credit note issued under sub-paragraph (1) shall be preserved for one year from the date of issue.

22. A licensee shall surrender his licence to the Textile Licensing Officer for cancellation within one month of the date on which he ceases to carry on his business and shall at the time of so surrendering the licence declare in writing before the said officer the stock held by him on the said date.

23. (1) No person being the holder of a licence under this Order, shall contravene any of the conditions subject to which he holds the licence.

(2) The Director-General or the Director-General of Enforcement or the Director of Textiles or the Controller, or any officer authorised in this behalf in writing by the Director-General or the Director-General of Enforcement or the Controller, may, if he is of opinion that any person holding a licence under this Order has contravened any of the provisions of this Order, or any of the conditions of his licence or any of the provisions of the Cotton Cloth and Yarn (Control) Order, 1943, or of any rule made under that Order, cancel the licence of such person without prejudice to any other action that may be taken against such person.

24. The Director-General or the Director-General of Enforcement or the Controller, or the Director of Textiles or any officer authorised in writing by the Director-General or the Director-General of Enforcement or the Controller in this behalf by general or special order may, with a view to securing compliance with this Order—

- (a) require any person to give any information in his possession with respect to any business carried on by that person or any other person;
- (b) inspect or cause to be inspected any books or other documents as well as any stocks of cloth, belonging to or under the control of any person;
- (c) enter and search or authorise any person to enter and search any premises in which the purchase or sale of any cloth or yarn is taking place or any cloth or yarn is stored or in which he has reason to believe that the purchase or sale of any cloth or yarn is taking place or any cloth or yarn is stored.

25. Any person searching any premises under the provisions of clause (c) of paragraph 24, may seal or cause to be sealed, in such manner as he may see fit, the premises so searched, or any box, bale or package in such premises, which contains or which he has reason to believe contains cloth or yarn, and he may also pack and seal in such manner as he may see fit any cloth or yarn in such premises which may be found in an unpacked condition, or instead of so sealing any such box, bale or package, or so packing and sealing any cloth or yarn, he may, if he deems it expedient, seize any such box, bale, package, cloth or yarn, in respect of which he has reason to believe that any contravention of this Order has occurred.

26. During the search of any premises under the provisions of clause (c) of paragraph 24 or at any time after such a search has been made, any person authorised in writing in this behalf by the Director-General or the Director-General of Enforcement or the Controller or the Director of Textiles may enter or re-enter such premises and make an inventory of any cloth or yarn in such premises, and may for this purpose open any box, bale or package which contains, or which he has reason to believe contains, cloth or yarn and he may also for this purpose break any seal affixed to any box, bale, package, cloth or yarn and re-seal it in the same manner.

27. Subject to the provisions of paragraph 26 no person other than a person authorised in writing in this behalf by the Director-General or the Director-General of Enforcement or the Controller or the Director of Textiles shall break or tamper with in any way any seal affixed under paragraph 25 or paragraph 26 to any box, bale or package or to any cloth or yarn packed under either of the said paragraphs or remove from any premises any box, bale, package, cloth or yarn to which a seal has been affixed under either of the said paragraphs.

28. Any person searching any premises under clause (c) of paragraph 24 may, by order in writing, direct the owner, occupier or person in charge or control of such premises, or any employee of such owner occupier or person, to furnish him forthwith—

- (a) with any information in regard to any other premises owned, occupied or controlled in any way by such owner, occupier or person in charge or control of the premises so being searched, and the person so directed shall comply with such a direction to the best of his knowledge and belief;

- (b) with a true statement of the quantities of cloth and yarn of each different type or quality in the premises so being searched at the time of commencement of such search.

29. Every hawker, broker, commission agent, or weaver holding a licence under this Order shall carry with him his licence and produce it for inspection on demand by the Controller or by any officer authorised in writing in this behalf by general or special order by the Director-General or the Director-General of Enforcement or the Controller or the Director of Textiles and every other person holding a licence under this Order shall display his licence in a conspicuous position at his place of business.

30. If any person with the intent that any provision of this Order may be evaded refuses to give any information lawfully demanded of him under the provisions of this Order, or conceals, destroys, mutilates or defaces any book or other document, he shall be deemed to have contravened the provisions of this Order.

31. A court trying any contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any cloth or yarn together with the package or container thereof in respect of which it is satisfied that such contravention has occurred shall be forfeited to His Majesty.

32. The Provincial Government may by general or special order—

- (a) exclude any class of cloth or yarn specified in such Order from the operation of this Order;
- (b) exempt any person or class of persons from the operation of all or any of the provisions of this Order.

## SCHEDULE I.

(See paragraph 5.)

### Group "A"—Rs. 300.

*(Manufacturers by power-driven plant.)*

1. Manufacturer of cloth by power-looms.
2. Manufacturer of yarn by power-driven spinning plant.
3. Manufacturer of hosiery yarn or hosiery goods by power.
4. Dyeing, bleaching and printing establishment run by power.

### Group "B"—Rs. 120.

*(Quota-holders, Permit-holders and other dealers importing directly or indirectly from mills or acting on behalf of mills.)*

1. Quota-holders (cloth).
2. Quota-holders (yarn).
3. Importers (cloth).
4. Importers (yarn).
5. Mill selling agents (cloth).
6. Mill selling agents (yarn).

**Group "C"—Rs. 60.***(Wholesale dealers.)*

1. Wholesale dealers (mill made cloth).
2. Wholesale dealers (yarn) including hosiery yarn.
3. Commission Agents.
4. Wholesale dealers in handloom cloth and handspun yarn.
5. Tailoring establishment (wholesale) and wholesale dealers in ready-made garments.
6. Wholesale dealers in hosiery goods.

**Group "D"—Rs. 24.***(Retail dealers.)*

1. Retail dealers (mill made cloth).
2. Retail dealers (yarn).
3. Tailoring establishment (retail) and retail dealers in ready-made garments.
4. Retail dealers in hosiery goods.
5. Retail dealers in handloom cloth.
6. Retail dealers in bedding stores.

**Group "E"—Rs. 2.***(Hawkers.)***Group "F"—Rs. 1 per loom.**

*(Handloom cloth manufacturers including the right to hawk handloom cloth anywhere in the Province.)*

**Group "G"—Rs. 24.***(Brokers.)***SCHEDULE II.***(See paragraph 5.)***G.S.T. Form A.***Application No.....***GOVERNMENT OF BENGAL.****Bengal Cotton Cloth and Yarn Control Order, 1946.***Application for the grant of a licence to deal in cloth/yarn.*

Class of licence required: Group A/B/C/D/E/F/G.

1. Name of applicant with father's name to whom the licence is to be issued.....
2. In the case of a firm—Names and addresses of all partners, and whether any of them held any class of licence under this Order or any licence for dealing in cloth/yarn.....



3. In the case of a Joint Stock Company—Names and addresses of all Directors and Agents.....

4. In the case of a Co-operative Society—Names and addresses of the members of the managing body or officials appointed for the purpose.....

5. Exact address of the office, if it is different from the place of business, *i.e.*, shops, sales tax registration No. and municipal trade licence No.....

6. Exact address of the place where business is to be conducted, *i.e.*, shops and the ward No.....

7. Exact address of the place or places of storage of yarn/cloth.....

8. (a) In what class of yarn/cloth business has the applicant previously carried on business and since when (English calendar date).....

(b) Whether the applicant was in yarn/cloth business continuously from 1st January 1940 to 31st December 1942 (if only part of this period, give date) and in what class of business during the period.....

9. Whether the applicant had previously applied for a licence under the Bengal Cotton Cloth and Yarn Control Order, 1943, and if so, with what result.....

10. Number and place of issue of licence if any granted under the Bengal Cotton Cloth and Yarn Control Order, 1943.....

11. The class of licence applied for (*e.g.*, Group "D" 1 and 3) main business conducted.....

12. Whether the applicant is a minor.....

13. Whether the applicant has any licence to deal in yarn/cloth in any part of India other than Bengal.....

14. Whether the applicant is a member or partner of any other firm or company holding a licence to deal in yarn/cloth or whether has applied. If so, give the name and place of business of the firm or company.....

*Signature*.....

*Dated*.....194...

*Note*.—A licence granted under this Order is liable to cancellation if the information supplied in this form is found to be incorrect or incomplete.

## Form B.

### GOVERNMENT OF BENGAL.

#### Department of Civil Supplies.

#### Textile Licensing Office.

*License for the manufacture, sale or storage for sale of cloth or yarn.*

1. Licence No.....of Group.....

3. Name with father's name of the licensee.

4. Address where the undertaking is carried on.....
5. Address of godown or other premises where yarn or cloth is stored.....
6. This licence will expire on the 31st March 19.....
7. The licensee shall hold the licence subject to the conditions specified below.

*Signature of Textile Licensing Officer.*

Date.....

### SCHEDULE III.

[See paragraph 10(6).]

	Fee.
	Rs.
In respect of each place of business up to 5	... 24
and	
where the number of places of business exceeds 5, in respect of each place of business in excess of 5 up to 10	... 16
and	
where the number of places of business exceeds 10, in respect of each place of business in excess of 10 and up to 15	... 14
and	
where the number of places of business exceeds 15, in respect of each place of business in excess of 15 up to 20	... 12
and	
where the number of places of business exceeds 20, in respect of each place of business in excess of 20 up to 25	... 10
and	
where the number of places of business exceeds 25, in respect of each place of business in excess of 25	... 8

Provided that the total amount of fees payable in respect of all the places of business shall in no case exceed five hundred rupees.

### Conditions of licence.

1. This licence is being issued subject to the provisions of the Bengal Cotton Cloth and Yarn Control Order, 1946.

2. The licensee, if a broker, a commission agent, a hawker or a weaver shall carry with him his licence when carrying on business and produce it for inspection on demand by the Controller or by any officer authorised in writing by the Director-General of Civil Supplies, Consumer Goods, or the Director-General of Enforcement or the Controller and if not a hawker, a broker, a commission agent or a weaver shall display his licence in a conspicuous position at his place of business.

3. If the licensee intends to store any cloth or yarn in any place, premises or godown other than those already mentioned in the licence, he shall intimate the address of such place, premises or godown to the Controller and the Textile Licensing Officer and shall not store any cloth or yarn in such place, premises or godown until the Textile Licensing Officer has endorsed it on the licence.

4. The licensee shall give all facilities to the Director-General of Civil Supplies, Consumer Goods, or the Director-General of Enforcement or to the Controller or to any person authorised in writing by any of the said officers to inspect his stock and accounts at any shop, godown or other place used by him for the storage of cloth or yarn or both.

5. The licensee shall comply with all directions that may be given by the Controller in regard to the purchase, sale or storage of cloth or yarn or both.

6. The licensee, if he is not a hawker, shall issue to every customer a true cash memorandum or credit note, as the case may be, giving his name, licence number and address, the date of the transaction, the name and address, and licence number (if any) of the purchaser, a detailed description of goods sold, the quantity sold, the rate at which sold, the unit of sale, the total price of each item of goods sold and the salesman's signature, and shall keep a duplicate of the same to be available for inspection on demand by the Textile Licensing Officer or any officer authorised in writing by the Textile Licensing Officer in this behalf and shall preserve every such cash memorandum and credit note for one year from the date of issue.

7. If the licensee contravenes any of the provisions of the Bengal Cotton Cloth and Yarn Control Order, 1946, or any of the conditions subject to which he holds this licence or any of the provisions of the Cotton Cloth and Yarn (Control) Order, 1943, or of any rule made under that Order, then without prejudice to any other action that may be taken against him, his licence may be cancelled by the Director-General of Civil Supplies, Consumer Goods, or the Director-General of Enforcement or any officer authorised by either of them, in writing in that behalf.

8. Notwithstanding anything contained in clause 7, the Director-General of Civil Supplies, Consumer Goods, or the Director-General of Enforcement may, without giving any previous notice or without assigning any reason, suspend or cancel this licence.

*Notification No. 660(Cy.), dated the 21st January, 1944 (published in the "Calcutta Gazette" of the 27th January, 1944, Pt. I, p. 84).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Cotton Cloth and Yarn Control Order, 1943, the Governor is pleased to direct that the said Order shall come into force in the whole of Bengal on the 1st February, 1944.

*Notification No. Cy(O)-281, dated the 19th June, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 20th June, 1945).*

Under powers conferred by clause 3(e) of the Bengal Cotton Cloth and Yarn Control Order, 1945, I appoint the following to be "Controllers" within the meaning of that clause:—

A. In each subdivision of the province of Bengal.

(1) The Subdivisional Officer.

(2) The Subdivisional Controller of Civil Supplies.

B. In each district of the province of Bengal.

(1) The District Magistrate.

(2) The District Controller of Civil Supplies.

**Notification No. 661(Cy.), dated the 21st January, 1944 (published in the "Calcutta Gazette" of the 27th January, 1944, Pt. I, p. 84).**

In exercise of the power conferred by sub-paragraph (1) of paragraph 4 of the Bengal Cotton Cloth and Yarn Control Order, 1943, the Governor is pleased to specify the following licence fees which are to be paid at the time of making applications for licences under the said sub-paragraph, namely:—

- (a) In the case of an application by a wholesale dealer—Rs. 10.
- (b) In the case of an application by a retail dealer—Rs. 5.
- (c) In the case of an application by a hawker—Re. 1.

**Notification No. 768(Cy.), dated the 29th January 1944 (published in the "Calcutta Gazette" of the 3rd February, 1944, Pt. I, p. 121).**

In pursuance of the provisions of sub-paragraph (1) of paragraph 4 of the Bengal Cotton Cloth and Yarn Control Order, 1943, I hereby direct that the licence fee to be paid at the time of making applications for licences under the said sub-paragraph by a wholesale dealer, a retail dealer or a hawker shall be paid in the following manner, namely:—

The licence fee shall, in Calcutta, be paid into the Reserve Bank of India and elsewhere in Bengal be paid either into the Government Treasury or into the local branch of the Imperial Bank of India under the head "Licence fees under the Bengal Cotton Cloth and Yarn Control Order, 1943—L.I. Extraordinary Receipts—Other items", and on such payment the applicant shall enclose a receipted copy of the *challan* received by him from the Reserve Bank of India, Government Treasury or the branch of the Imperial Bank of India, as the case may be, with the application for licence under sub-paragraph (1) of paragraph 4 of the Bengal Cotton Cloth and Yarn Control Order, 1943, to show that such payment has been made.

**Notification No. 662(Cy.), dated the 21st January, 1944 (published in the "Calcutta Gazette" of the 27th January, 1944, Pt. I, p. 84).**

In exercise of the power conferred by paragraph 5 of the Bengal Cotton Cloth and Yarn Control Order, 1943, the Governor is pleased to specify the following licence fees to be paid for the renewal of licences under the said paragraph, namely:—

- (a) For every renewal of a licence by a wholesale dealer—Rs. 10.
- (b) For every renewal of a licence by a retail dealer—Rs. 5.
- (c) For every renewal of a licence by a hawker—Re. 1.

**Notification No. Cy.(O)331, dated the 27th June, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th June, 1945).**

In exercise of the power conferred by paragraph 13 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I hereby issue the following directions, namely:—

No dealer having his place of business within Calcutta and selling, delivering or offering to sell or deliver any Indian mill made cloth from any shop appointed in writing by the Director of Textiles to be a Cloth

**Ration Shop** or under specific orders of the Director of Textiles in pursuance of the directions issued by the Director-General, Consumer Goods, under notification No. 4166(Cy.), dated the 6th May 1945, shall make any cloth obtained by or supplied to such dealer after the date of this Order into garments or use any such cloth otherwise than for the purpose of such sale or delivery.

*Explanation.*—In this Order, “Indian mill made cloth” has the same meaning as in the directions issued by the Director-General, Consumer Goods, under notification No. 4166(Cy.), dated the 6th May 1945.

*Notification No. 671(Cy.), dated the 26th August, 1944 (published in the “Calcutta Gazette” of the 31st August, 1944, Pt. I, p. 1081).*

In exercise of the power conferred on me by paragraph 14 of the Bengal Cotton Cloth and Yarn Control Order, 1943, I hereby direct that every holder of a licence under the said Order shall furnish to me on or before the 21st September, 1944, a statement showing the total quantity of cotton cloth in yardage and of yarn in pounds supplied by him during the period commencing on the 1st January, 1944, and ending on the 31st August, 1944, to the following parties, namely:—

- (1) Indian Red Cross Society.
- (2) St. John Ambulance.
- (3) Army, Navy and Air Forces of His Majesty.
- (4) A.R.P. and Civic Guard Organisations.
- (5) Manufacturers producing materials for members of the Army, Navy and Air Forces of His Majesty or for persons attached to, employed with or following those forces or for A. R. P. and Civic Guard Organisations.

*Notification No. 230(O.), dated the 21st February, 1946 (published in the “Calcutta Gazette” of the 28th February, 1946, Pt. I, p. 402).*

In exercise of the powers conferred on me by sub-clause (1) of clause 14 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I hereby direct that all dealers in Calcutta and Howrah holding any stocks of “frozen cloth” shall submit a statement in respect of such stocks, in the form specified in the attached schedule, to me by 10th March 1946, and further that with reference to sub-rule (1) of rule 119 of the Defence of India Rules, notice of this order shall be given by publication thereof in the *Official Gazette*. For the purposes of this order “cloth” shall have the same meaning as it has in the Bengal Cotton Cloth and Yarn Control Order and “frozen cloth” shall include all cloth whose sale has been forbidden by any order issued by the Director of Textiles, by the Enforcement Division of the Civil Supplies Department, by the Enforcement Branch of the Calcutta Police or by any other competent authority.

### Schedule.

Authority issuing freezing order.	Date of freezing order.	Variety.	Quantity.				Pairs or pieces.	Handloom or mill-made cloth.
			Bales.	Yards.	Thans.			
1	2	3	4	5	6	7	8	

*Note.*—Separate entries shall be made against separate freezing orders.

**Notification No. (O) 83, dated the 22nd January, 1946 (published in the "Calcutta Gazette, Extraordinary", of the 25th January, 1946).**

In exercise of the powers conferred upon me by clause 15 of the Bengal Cotton Cloth and Yarn Control Order, 1945, and in supersession of notification No. (O)960, dated 28th November 1945, I hereby direct that every dealer, except as hereinafter stated, shall keep his books of accounts in the forms prescribed below:—

**FORM C.**  
**Daily Stock Register.**

(To be kept in English, Bengali, Hindi or Urdu.)

(Under clause 15 of the Bengal Cotton Cloth and Yarn Control Order, 1945.)

General description.	Date.	Opening balance.	Yds./Pcs./Lbs.	Receipt. Bales.	Yds./Pcs./Lbs.	Total of 3 and 5. Bales.
1	2	3	4	5	6	7

Total of 4 and 6. Yds./Pcs./Lbs.	Quantity disposed.	Yds./Pcs./Lbs.	Balance Bales.	Yds./Pcs./Lbs.	Remarks.
8	9	10	11	12	13

Mill-made cloth in yards and pieces to be shown separately and yarn in lbs.

**FORM D.**  
**Ledger.**

(To be kept in English, Bengali, Hindi or Urdu.)

(Under clause 15 of the Bengal Cotton Cloth and Yarn Control Order, 1945.)

*Trade description of mill-made cloth or yarn.....(a page for each class of goods).*

Date.	Opening balance. Bales.	Yds./Pcs./Lbs.	Receipt. Bales.	Yds./Pcs./Lbs.	Purchased from (name, address, license No.).	Ex-mill price.
1	2	4	4	5	6	7

Maximum retail price.	Price paid.	Quantity sold (Pcs./Yds./Lbs.).	Sold to (name, address, license No.).	Balance. Yds./Pcs./Lbs.	Remarks.
8	9	10	11	12	13

Column 11 shall not apply to retailers, and in column 10 retailers shall only show the total-daily sale.

This order shall not apply to rationed varieties in cloth ration shops, to dealers in hand-loom cloth, hosiery, sewing thread, ready-made garments, tailoring establishments making garments to order and hawkers.

*Notification No. Cy(O)332, dated the 28th June, 1945 (published in the "Calcutta Gazette" of the 12th July, 1945, Pt. I, p. 1163.)*

In exercise of the powers conferred on me by clause 16 of the Bengal Cloth and Yarn Control Order, 1945, I hereby prescribe the following form in which every holder of a license under the above Order shall submit to the Controller the quarterly statements of his stock of cloth or yarn or both on using separate sheets for Parts I and II thereof:—

Quarterly Return of Stock held on the 31st January/30th April/31st July/31st October (to be submitted so as to reach the Office of the Controller on or before the 10th February/10th May/10th August/10th November respectively every year).

(Under clause 16 of the Bengal Cotton Cloth and Yarn Control Order, 1945.)

Name of the licensee.....  
 Place of business with address.....  
 Place of storage with address.....  
 License No.....  
 Class of License.....

### Part I.

Materials.	Stocks in bales or cases.			
	No. of bales or cases.	Equivalent quantity.	Unpacked stocks in pieces/yds.	Total stocks (total of B and C).
	A	B	C	D
	Bales or cases.	Yds.	Yds.	Yds.
1. All cotton cloth normally sold on yardage basis (except those falling under item 2 below)—				
(a) Mill-made cloth made in India—				
(i) Other than Standard cloth ..				
(ii) Standard cloth ..				
(b) Handloom cloth made in India ..				
(c) Foreign cloth .. ..				
	Bales.	Yds.	Yds.	Yds.
2. Dyed, bleached and printed goods normally sold on yardage basis—				
(a) Mill-made made in India ..				
(b) Handloom products made in India				
(c) Foreign .. ..				

	Bales.	Prs.	Prs.	Pairs and their equivalent in terms of yards of cloth.
<hr/>				
3. Dhuties and sarrees (except those falling under item 4 below)—				
(a) Mill-made made in India—				
(i) Other than Standard cloth ..				
(ii) Standard cloth ..				
(b) Handloom cloth made in India ..				
(c) Foreign cloth .. ..				
<hr/>				
	Bales.	Nos.	Nos.	Nos. and their equivalent in terms of yards of cloth.
<hr/>				
4. Dyed, bleached and printed dhuties and saries and others sold by numbers—				
(a) Mill-made made in India ..				
(b) Handloom products made in India ..				
(c) Foreign .. ..				
<hr/>				
	Bales.	Nos.	Nos.	Nos. and their equivalent in terms of yards of cloth.
<hr/>				
5. All other materials normally sold by number, for example, sheets, chaddars, towels, pillow cases, etc. (excluding those falling under items 3 and 4)—				
(a) Made in India .. ..				
(b) Foreign .. ..				
<hr/>				
	Bales.	Nos.	Nos.	Nos. and their equivalent in terms of yards of cloth.
<hr/>				
*6. Ready-made garments—				
(a) Made in India .. ..				
(b) Foreign .. ..				

\*Details of ready-made garments.



			Bales.	Nos.	Nos.	Nos. and their equivalent in terms of lbs.
7. Hosiery goods—						
(a) Made in India	..	..				
(b) Foreign	..	..				
			Bales.	Lbs.	Lbs.	Lbs.

## 8. Anything not covered by the above, e.g., fents, etc.—

- (a) Mill-made made in India ..
- (b) Handloom products made in India ..
- (c) Foreign .. ..

	Number fit for persons above 12 years of age.	Cloth required in yards for 1.	Number fit for persons of 12 years of age and below.	Cloth required in yards for 3.	Total of columns 1 and 3.	Total of columns 2 and 4.
	1	2	3	4	5	6
1. Shirts ..	..					
2. Coats ..	..					
3. Trousers ..	..					
4. Frocks ..	..					
5. Blouses ..	..					
6. Chemises ..	..					
7. Underwears ..	..					
8. Others. ..	..					

## Part II.

				Counts	Bales.	Lbs.
1. Yarn mill-made in India—						
Hanks/Single	..	..	..			
Ply ..	..	..	..			
Cone ..	..	..	..			
Foreign Yarn—						
Hanks/Single	..	..	..			
Ply ..	..	..	..			
Cone ..	..	..	..			

				Quantity.	Make-ups (in yards).	Total yardage;
2. Sewing thread—						
Made in India	..	..	..			
Foreign ..	..	..	..			

I certify that the statements made above are true.

*[Signature of the Proprietor/Proprietors or his/their authorised agent.]*

*Notification No. 9178 D.C.S., dated the 6th July 1945 (published in the "Calcutta Gazette" of the 12th July 1945, Pt. I, p. 1162).*

In exercise of the power conferred by paragraph 18 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I hereby authorise all officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector and all police officers under the administrative control of the Inspector-General of Police, Bengal, of and above the rank of a Sub-Inspector to enter upon and inspect any premises referred to in the said paragraph.

*Notification No. 4166 (Cy.), dated the 6th May, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 8th May, 1945, p. 123).*

In exercise of the powers conferred on me by the Textile Commissioner in his notification No. T.C.(14)/44, dated 30th December, 1944, as amended by his further notification No. T.C.(14)7/45, dated 5th April, 1945, I, W. S. C. Tully, Director-General of Consumer Goods, Civil Supplies Department, Bengal, do hereby issue the following directions under clause 18B(1) of the Cotton Cloth and Yarn (Control) Order, 1943:—

1. In this notification—

- (a) "Director of Textiles" means any Director of Textiles, Additional Director of Textiles or Deputy Director of Textiles appointed by the Government of Bengal.
- (b) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

2. No dealer having his place of business within Calcutta and holding only a Retail Licence under the Bengal Cotton Cloth and Yarn Control Order, 1943, shall sell, deliver or offer to sell or deliver any Indian mill-made cloth as specified in the schedule below except:—

- (i) from a shop appointed in writing by the Director of Textiles to be a Cloth Ration Shop [or from a shop of a cloth retailer appointed under the provisions of the Bengal Cloth Rationing Order, 1945] and then only in accordance with the conditions of such appointment, or
- (ii) under specific orders in writing by the Director of Textiles.

### **Schedule.**

Indian mill-made cloth specified in clause 2 includes only:—

Dhuti, Sari, Lungi, Shirting, Twill (Grey), Twill (Bleached), Twill (Dyed), Longcloth, Poplin, Markin or Grey Shirting, Mull Nainsuk or Addhi, Voils, Chaddar, Sheeting, Bed Ticken, Sujnis and Bed Covers, Drill (Grey), Drill (Bleached), Drill (Dyed), Coating, Prints and mill-made Khadi.

*Notification No. 231(O), dated the 21st February, 1946 (published in the "Calcutta Gazette" of the 28th February, 1946, Pt. I, p. 402.)*

In exercise of the powers conferred on me by the Textile Commissioner by his notification No. T. C. (14)/44, dated the 30th December 1944, as amended

his notification No. T. C.(14)10/45, dated 9th June 1945, I hereby issue the following direction under clause 18B(1) of the Cotton Cloth and Yarn (Control) Order, 1943, viz.—

Mills may sell, deliver or offer for sale all “fents” produced by them to any licensed dealer.

*Explanation.*—“Fents” in this notification means pieces of cloth below 36” in length.

*Notification No. 12749 D.C.S., dated the 22nd October, 1945 (published in the “Calcutta Gazette” of the 1st November, 1945, Pt. I, p. 1763.)*

In exercise of the power conferred by clause 23 of the Cotton Cloth and Yarn (Control) Order, 1945, the Governor is pleased to authorise the Director-General of Enforcement and the Deputy Director-General of Enforcement who are not below the rank of District Magistrate to sanction the institution of prosecutions for contravention of any of the provisions of the said Order in any area included within the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 9179 D.C.S., dated the 6th July, 1945 (published in the “Calcutta Gazette” of the 12th July, 1945, pt. I, p. 1162.)*

In exercise of the power conferred by paragraph 24 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I hereby authorise all officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector and all police officers under the administrative control of the Inspector-General of Police, Bengal, of and above the rank of a Sub-Inspector to exercise the powers mentioned in clauses (a), (b) and (c) of the said paragraph.

*Notification No. 9177 D.C.S., dated the 6th July, 1945 (published in the “Calcutta Gazette” of the 12th July, 1945, Pt. I, p. 1162.)*

In exercise of the power conferred by paragraph 26 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I do hereby authorise all officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector and all police officers under the administrative control of the Inspector-General of Police, Bengal, of and above the rank of a Sub-Inspector to exercise all the powers mentioned in the said paragraph.

*Notification No. 10482 D.C.S., dated the 8th August, 1945 (published in the “Calcutta Gazette” of the 16th August, 1945, Pt. I, p. 1351.)*

In exercise of the power conferred upon me by paragraph 29 of the Bengal Cotton Cloth and Yarn Control Order, 1945, I hereby authorise all officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector and all Police Officers under the administrative control of the Inspector-General of Police, Bengal, of and above the rank of a Sub-Inspector to demand production for inspection of the license held under the said Order by any hawker, broker, commission agent or weaver.

**Notification No. 10620 D.C.S., dated the 13th August, 1945 (published in the "Calcutta Gazette" of the 23rd August, 1945, Pt. I, p. 1385).**

In exercise of the power conferred by clause (b) of paragraph 31 of the Bengal Cotton Cloth and Yarn Control Order, 1945, the Governor is pleased to exempt—

- (a) all persons engaged in the manufacture of cloth at the institutions or other places mentioned in Schedule A below and all persons at the said institutions or other places engaged in the purchase of yarn for such manufacture of cloth, and
- (b) the members of the demonstration parties mentioned in Schedule B below engaged in the manufacture of cloth for the purpose of demonstration or in the purchase of yarn for such manufacture of cloth,

from the operation of the provisions of paragraph 5 (in so far as they relate to the amount of license fees payable) and of the provisions of sub-paragraph (2) of paragraph 6 of the said Order.

#### **Schedule A.**

[See "Calcutta Gazette" of the 23rd August, 1945, of Pt. I, p. 1385.]

#### **Schedule B.**

[See "Calcutta Gazette" of the 23rd August, 1945, Pt. I, p. 1385.]

**Notification No. 11586 D. C. S., dated the 11th September, 1945 (published in the "Calcutta Gazette" of the 20th September, 1945, Pt. I, p. 1522).**

In exercise of the power conferred by clause (b) of paragraph 31 of the Bengal Cotton Cloth and Yarn Control Order, 1945, the Governor is pleased to exempt all persons manufacturing hosiery goods by using hand-plant and *charka* spinners from the operation of the provisions of paragraph 4 of the said Order.

**Notification No. 13614 D. C. S., dated the 12th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1922).**

In exercise of the powers conferred by sub-clause (b) of clause 31 of the Bengal Cotton Cloth and Yarn Control Order, 1945, the Governor is pleased to exempt the Bengal Textiles Association from the operation of clause 5 of the said order in respect of payment of licence fees.

**Notification No. 5(C), dated the 12th December, 1945 (published in the "Calcutta Gazette" of the 20th December, 1945, Pt. I, p. 2140).**

In exercise of the powers conferred upon me by clause 5 of the Conditions of License issued to them in Form B in Schedule II to the Bengal Cotton Cloth and Yarn Control Order, 1945, and also by sub-clause (1) of clause 13 of the said Order, I hereby, for the purposes of the said Order, direct all licensees under the said Order not to dispose of or deliver without a permit in writing issued by me in that behalf and otherwise than in accordance with such a permit, any yarn (to which the said Order applies and which is detailed in the Schedule below) arriving in Calcutta and the Industrial Area (as defined in paragraph 4 below) by railway, steamer, road, boat or, any other method irrespective of whether the goods are brought from within or outside the Province of Bengal.

2. All licensees who, in Calcutta and the Industrial Area receive any such yarn for sale or storage for sale from any place in Bengal or from outside Bengal whether by means of rail, steamer, road, boat or any other method, shall submit a detailed statement of the goods received with the invoices to me immediately after their arrival.

3. In the case of arrivals of any such cotton yarn whether by rail, steamer, road, boat or by any other method in areas in the Province of Bengal other than Calcutta and the Industrial Area, the detailed statement of the goods with proper invoices must immediately be submitted by the consignees or the persons on whose behalf the goods are brought, to the '[Controller] concerned and such yarn as detailed in the Schedule below must not be disposed of or delivered without a permission in writing from such '[Controller] and except in accordance with such permission.

<sup>2</sup>[*Explanation.*—"Controller" in this paragraph shall mean "Controllers" appointed by the Director General of Consumer Goods, Bengal, by notification No. CY (O)281, dated the 19th June, 1945.]

4. Calcutta and Industrial Area means Calcutta as defined in clause 3(b) of the said Order, and in addition includes the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

5. This cancels all other previous Orders on the subject by the Provincial Textile Controller or Director of Textiles, Bengal.

#### **Schedule.**

Any type of yarn either manufactured wholly from cotton or manufactured partly from cotton and partly from any other material and containing not less than 10 per cent. cotton by weight including all kinds of hosiery yarn but excluding (i) single of ply yarn of 6½ count and below, and (ii) sewing thread prepared for sale as such.

*Notification No. C. Y. (O), 776, dated the 12th September, 1945 (published in the "Calcutta Gazette" of the 13th September, 1945, Pt. I, p. 212).*

In exercise of the powers vested in me by clause (ii) of paragraph 2 of notification No. 4166 (CY), dated 6th May 1945, Department of Civil Supplies, Government of Bengal, I hereby direct that all shops in Calcutta holding a retail license under the Bengal Cotton Cloth and Yarn (Control) Order, 1945, shall sell, deliver, or offer to sell or deliver any Indian mill-made saris, which have been hand-printed and have not been either tex-marked or price-marked, at a price not exceeding Rs. 7-8 per piece. Such saris may be sold both by cloth ration shops and by other cloth shops outside the Interim Rationing Scheme.

*Notification No. C. Y. (O) 846, dated the 9th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1774).*

In exercise of the powers conferred upon me by clause 2, sub-clause (ii) of notification No. 4166CY., dated 6th May 1945, I hereby direct that any person possessing a license under the Bengal Cotton Cloth and Yarn Control Order, 1945, may sell, deliver, or offer for sale all Indian mill-made hand-printed cloth other than sarees, whether tex-marked or not tex-marked which has not been price-marked and that such cloth shall not be deemed to be "rationed cloth" within the meaning of the Bengal Cloth Rationing Order, 1945.

<sup>1</sup>Substituted by notification No. (O) 119, dated the 28th January, 1946.

<sup>2</sup>Inserted *ibid*.

*Notification No. C. Y. (O) 847, dated the 9th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1774).*

In exercise of the powers conferred on me by clause 2(ii) of notification No. 4166CY., dated 6th May 1945, I hereby direct that all holders of a Retail License (D) under the Bengal Cotton Cloth and Yarn Control Order, 1945, may sell, deliver, or offer for sale, all Indian mill-made cloth of the varieties shown in the schedule hereto attached subject to the sale being at not more than the controlled price stamped on the cloth.

#### **Schedule.**

Sujnis. Sheeting. Bed Ticking. Mosquito Netting. Bandage Cloth. Gauze. Cotton Flannel. Canvas.

*Notification No. C. Y. (O) 845, dated the 9th October, 1945 (published in the "Calcutta Gazette" of the 1st November 1945, Pt. I, p. 1774).*

In exercise of the powers conferred on me by clause 2(ii) of notification No. 4166CY., dated 6th May 1945, and in partial modification of my notification No. CY(O)776, dated 12th September 1945, I hereby direct that Indian mill-made hand-printed sarees which have been tex-marked and not price-marked may be sold, delivered or offered for sale at the following rates:—

In the case of mercerised cloth at a price not exceeding Rs. 3-4 per yard and in the case of non-mercerised cloth at a price not exceeding Rs. 2-3 per yard.

*Notification No. C. Y. (O) 944, dated the 23rd November, 1945 (published in the "Calcutta Gazette" of the 29th November 1945, Pt. I, p. 1571).*

In exercise of the powers conferred on me by clause 2(ii) of notification No. 4166CY., dated 6th May 1945, I hereby direct that all holders of a Retail License (D) under the Bengal Cotton Cloth and Yarn Control Order, 1945, may sell, deliver, or offer for sale, all Indian mill-made cloth of the varieties shown in the schedule hereto attached, subject to the sale being at not more than the controlled price stamped on the cloth.

#### **Schedule.**

Cotton blankets.

*Notification No. 202 (O), dated the 19th February, 1946 (published in the "Calcutta Gazette" of the 28th February, 1946, Pt. I, p. 403).*

In exercise of the powers conferred on me by Government of India notification No. T. C. (15)/44, dated 30th December 1945, I hereby direct that all cotton piece-goods of which details have been supplied to the Textile Commissioner by wholesale dealers in accordance with his order No. C.Y.C.-2-18B-(1C), dated the 27th December 1945, may be disposed of by sale by such wholesale dealers, at the controlled prices, to any person holding the appropriate license under the Bengal Cotton Cloth and Yarn Control Order, 1945. Retail dealers who have supplied similar details may similarly sell their detailed piece-goods to the public at controlled prices. In respect of sales by wholesale dealers of mosquito netting only the names of the persons to whom such sales have been made during the preceding fortnight, together with the quantity sold, should be notified to this Directorate on the 1st and 16th day of every month.

With reference to sub-rule (1) of rule 119 of the Defence of India Rules, notice of this order shall be given by publication of the same in the *Official Gazette*.

*Notification No. 5814 (C. Y.), dated the 21st August, 1944 (published in the "Calcutta Gazette" of the 24th August, 1944, Pt. I, p. 1061).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. This Order may be called the Bengal Cotton Cloth and Yarn Movements Control-Order, 1944.

2. In this Order—

(a) "cotton cloth" means any kind of cloth manufactured wholly or partly from cotton and includes—

(i) cloth made up into garments,

(ii) hosiery goods, and

(iii) handloom products;

(b) <sup>1</sup>["Director of Textiles"] means the Provincial Textile Controller, appointed under the Bengal Cotton Cloth and Yarn Control Order, <sup>2</sup>[1945], and includes any officer authorised by him to perform the functions of the Provincial Textile Controller under this Order; and

(c) "yarn" means yarn manufactured wholly or partly from cotton and includes sewing thread.

3. No person shall move or cause to be moved by rail, road or water any consignment of cotton cloth or yarn from any place in Bengal to any place outside Bengal except under and in accordance with the conditions of a permit issued in that behalf by the <sup>1</sup>[Director of Textiles] in the form annexed to this Order:

Provided that no such permit shall be required for moving cotton cloth or yarn—

(a) not exceeding <sup>2</sup>[40] lbs. in weight at any time by a *bona fide* traveller as part of his personal luggage;

(b) under a valid licence issued under any other law; or

(c) by a member of His Majesty's Forces or by an officer of the Defence Service.

4 Applications for permits under paragraph 3 shall be made in triplicate to the <sup>1</sup>[Director of Textiles] in the Form annexed to this Order.

<sup>1</sup>Substituted by notification No. 2436D.C.S., dated the 9th March, 1945.

<sup>2</sup>Substituted by notification No. 9356D.C.S., dated the 10th July, 1945.

**Form.**

(See paragraphs 3 and 4.)

**Application for permit under the Bengal Cotton Cloth and Yarn Movements Control Order, 1944.****PART I.****To**

The <sup>1</sup>[Director of Textiles],  
Cotton Cloth and Yarn Movement Section,  
P34, Mission Row Extension,  
Calcutta.

**Sir,**

Kindly issue a permit under the Bengal Cotton Cloth and Yarn Movements Control Order, 1944, for the Movement by rail/road/water of cotton cloth/yarn, details of which are given below:—

1. Name and full address of consignor.
2. Name and full address of consignee.
3. Total Weight.
4. Total number of bales and quantity in yards.
5. Name of the place of despatch.
6. Name of the place of destination.
7. Full description of the cotton cloth/yarn.
8. Reasons why permit is wanted.

All details given above are true to the best of my knowledge and belief.

**Place****Date***Signature of applicant.***PART II.**

(Not to be filled in by the applicant.)

Permit under the Bengal Cotton Cloth and Yarn Movements Control Order, 1944, is hereby granted to the consignor named in the application on reverse to move by rail/road/water \_\_\_\_\_ bales of cotton cloth/yarn of the quantities specified in the said application from \_\_\_\_\_ to \_\_\_\_\_

<sup>1</sup>[Director of Textiles.]

*Notification No. 5815 (C. Y.), dated the 21st August, 1944 (published in the "Calcutta Gazette" of the 24th August, 1944, Pt. I, p. 1062).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. No consignment or any part thereof of any cotton cloth or yarn arriving at any of the railway or steamer stations or at the docks in Calcutta and the Industrial Area shall be delivered to the consignee or to anybody else, unless such delivery is authorised by an endorsement in writing to this

<sup>1</sup>Substituted by notification No. 2436D.C.S., dated the 9th March, 1945.



effect made by the <sup>1</sup>[Director of Textiles] or an officer empowered by him in this behalf on the railway or steamer receipt or the bill of lading or any other document under which such consignment or part thereof is deliverable:

Provided that nothing in this Order shall apply to the delivery of any consignment—

- (1) the total weight of which does not exceed twenty pounds; or
- (2) which is booked under a Military Credit Note; or
- (3) to an officer of the Defence Services by designation.

2. No railway or steamer receipt or bill of lading or any other document under which any consignment or part thereof of any cotton cloth or yarn arriving at any of the railway or steamer stations or docks in Calcutta or the Industrial Area is deliverable shall be transferred by sale or otherwise to any person other than the consignee unless the <sup>1</sup>[Director of Textiles] has specially permitted such transfer by an order in writing.

3. A person at the time of presenting the railway or steamer receipts or bill of lading or other document to the <sup>1</sup>[Director of Textiles or the Officer empowered by the Director of Textiles under paragraph 1 for endorsement under the said paragraph] shall furnish a statement giving full particulars of the consignment and produce invoice and other papers in support of the statement.

4. In this Order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;
- (2) "Cotton Cloth and Yarn" have the same meanings as in the Bengal Cotton Cloth and Yarn Movements Control Order, 1944;
- (3) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of the 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly; and
- <sup>1</sup>(4) "Director of Textiles" means the Officer appointed by the Provincial Government as the Director of Textiles and includes any Additional Director or Deputy Director of Textiles.

*Notification No. 2848 D. C. S., dated the 19th March, 1945 (published in the "Calcutta Gazette, Extraordinary," of the 27th March, 1945, p. 61).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Foreign Cotton Cloth Control Order, 1945.<sup>2</sup>

(2) It shall come into force at once.

<sup>1</sup>Substituted by notification No. 4098D.C.S., dated the 19th April, 1945.

<sup>2</sup>This Order has since been repealed by notification No. 11645D.C.S., dated the 12th August 1945 as follows:—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to repeal the Bengal Foreign Cotton Cloth Control Order, 1945, published under notification No. 2848D.C.S., dated the 19th March 1945, at page 61 of Part I of the *Calcutta Gazette, Extraordinary* of the 27th March 1945:

Provided that the said Order shall be deemed to continue in force for the purpose of any investigation or proceeding, whether commenced before or after the date of publication of this notification in the *Calcutta Gazette* relating to any contravention of the said Order which has taken place before the said date.

2. In this Order, unless there is anything repugnant in the subject or the context,—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (2) "Cloth" means any type of cloth manufactured either wholly from cotton, or partly from cotton and partly from any other material and containing not less than ten *per centum* of cotton by weight, but does not include,—
  - (i) ready-made clothing other than *dhuties* and *saries*;
  - (ii) hosiery;
  - (iii) any articles which are Indian woollen goods as defined in the Indian Woollen Goods (Control) Order, 1944;
  - (iv) leather cloth and inferior or imitation leather cloth ordinarily used in book-binding;
  - (v) tracing paper; and
  - (vi) cloth manufactured partly from cotton and partly from wool and containing forty *per centum* or less of cotton by weight;
- (3) "consumer" means a person who acquires cloth by purchase or otherwise for his own consumption and not for the purpose of re-sale;
- (4) "foreign cloth" means cloth imported into India from any country outside India;
- (5) "dealer" means a person carrying on the business of selling cloth, either as a wholesaler or a retailer and whether or not in conjunction with any other business, and includes any person storing, or keeping in stock, cloth for sale;
- (6) "retail price" is the maximum price fixed by the Controller at which any foreign cloth to which the price so fixed relates, shall be sold to a consumer and not for the purpose of re-sale;
- (7) "Controller means,—
  - (a) in Calcutta, the officer appointed by the Provincial Government as Director of Textiles and includes any officer appointed by the Provincial Government as Additional or Deputy Director of Textiles, and
  - (b) elsewhere, the Subdivisional Magistrate in respect of the subdivision of a district in his charge.

3. No dealer holding in stock any foreign cloth shall sell, expose for sale, or cause or permit it to be sold or exposed for sale, except with the permission in writing of the Controller and in accordance with the provisions of this Order.

4. Any person holding in stock any foreign cloth as security or on behalf of a dealer, shall report to the Controller the name and address of the person by whom such security has been given or on whose behalf the cloth

is held, and also the quantity of the cloth held, and shall not without the permission in writing of the Controller sell, transfer or dispose of such cloth, or cause or permit it to be sold, transferred or disposed of.

5. Any dealer holding foreign cloth in stock shall within one month of the commencement of this Order submit to the Controller a true declaration of all such cloth in his possession or under his control in the form specified in the Schedule annexed to this Order and such declaration shall be accompanied by evidence of payment of a stamping fee of two annas per yard in such manner as the Provincial Government may direct.

6. (1) The Provincial Government, or any officer authorised in this behalf by the said Government, may fix the retail price of any foreign cloth in respect of which a declaration has been submitted to the Controller in Calcutta under paragraph 5.

(2) The Provincial Government, or any officer authorised in this behalf by the said Government, may also fix the retail price of any foreign cloth in respect of which a declaration has been submitted under paragraph 5 by a dealer in any area outside Calcutta to the Controller in respect of such area after such declaration has been forwarded to the Provincial Government, or such officer, by the Controller to whom it was submitted for the fixation of such price.

7. The Controller may, for the purposes of this Order, require any person to furnish him with such information, documents or samples as he considers necessary and such person shall be bound to comply with such requisition.

8. The Controller, or any officer authorised by him, shall stamp at one end of each piece of cloth in respect of which a declaration has been made under paragraph 5,—

(1) the TCB mark illustrated in paragraph 2 of notification No. T.C.- (6)2/44, dated the 27th January, 1944, by the Textile Commissioner with the Government of India,

(2) the month and year of stamping, and

(3) the retail price.

9. Notwithstanding any previous contract to the contrary, no person shall sell, dispose of or deliver any foreign cloth to a consumer at a price exceeding the retail price marked on the cloth or to another dealer at a price which if increased by ten *per centum* would exceed the retail price marked on the cloth.

10. The Controller may direct a dealer to keep such accounts in regard to foreign cloth and submit such returns in respect thereof as the Controller may think necessary and the dealer shall comply with such direction. Such accounts and returns shall be in the English language.

11. Any person in possession of or having control over any foreign cloth shall give all reasonable facilities to the Controller or any officer authorised by him in writing in this behalf, for entering any premises where such cloth is stored and for inspecting, stamping or marking such cloth.

12. The Controller, or any officer authorised by him in writing in that behalf, may enter and search any premises when the Controller or the officer so authorised by him has reason to believe that there is foreign cloth stored in such premises in respect of which no declaration has been made as

required under paragraph 5 of this Order or in respect of which such a declaration has been made but reasonable facilities are not being given for stamping and marking, and may seize any such cloth.

13. No dealer shall have in his possession or under his control, any foreign cloth after the expiry of three months from the first day of the month following the month in which the mark referred to in clause (1) of paragraph 8 was stamped on the cloth.

14. Nothing in this Order shall apply to any foreign cloth landed at a port in India on or after the 14th October, 1944.

15. A Court trying any contravention of paragraph 5 or of any other provisions of this Order may, without prejudice to any other punishment it may inflict under the Defence of India Rules, direct that any cloth in respect of which it is satisfied that such contravention has occurred be forfeited to His Majesty.

### **The Schedule.**

#### **FORM OF DECLARATION.**

[See paragraph 5.]

I submit the following particulars in regard to foreign cloth in my possession/under my control, and request that price may be fixed and marked on the cloth.

I herewith tender prescribed evidence of payment of the stamping fee.

1. Name of the declarant.
2. Licence No.
3. Subdivision and district.
4. Place of business and particulars of the premises where foreign cloth is held.
5. Particulars about the foreign cloth—
  - (a) Type of cloth.
  - (b) Manufacturer's name and markings.
  - (c) From whom purchased and when.
  - (d) If imported, (i) the exporter's invoice price, (ii) freight, insurance and other charges paid, (iii) custom duty.
  - (e) If not imported, give (i) price paid to the person from whom bought and (ii) address of the person.
  - (f) Have you any documents in support of the statement under (d) or (e)? If so, give particulars and, if possible, attested copies of these documents.
  - (g) Samples of each type of cloth.

I hereby declare that the particulars stated above are correct and true to the best of my belief and information.

*Signature of the Declarant.*

*Date*.....

*Notification No. 3057 D. C. S., dated the 23rd March, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 24th March, 1945, p. 55).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (1) This Order may be called the Calcutta Cotton Cloth and Yarn (Movements Restriction) Order, 1945.

(2) It shall come into force at once.

2. In this Order the words "Calcutta", "cloth" and "yarn" have the same meanings as in the Bengal Cotton Cloth and Yarn Control Order, 1943.

3. (1) During the continuance in force of this Order, no person shall move any cloth or yarn from any place inside Calcutta to any place outside Calcutta, and no railway authority or steamship company shall accept any cloth or yarn for transport by such authority or company from any place inside Calcutta to any place outside Calcutta:

Provided that the provisions of this sub-paragraph shall not apply,—

- (a) to the movement of any used apparel, clothes or underclothes; or
- (b) to the movement of any cloth or yarn by His Majesty's forces; or
- (c) to the movement of any cloth or yarn for the movement of which a permit has been granted by the Director-General of Consumer Goods appointed by the Provincial Government, or by any officer authorised in this behalf by the said Director-General.

(2) Every application for a permit referred to in clause (c) of the proviso to sub-paragraph (1) shall be made in writing and in duplicate to the said Director-General, and every such application shall contain the names of the consignor and consignee of the cloth or yarn to be moved, a full description of such cloth or yarn and a description of the marks of identification on the boxes, bales or packages in which such cloth or yarn is contained.

4. A court trying any contravention of paragraph 3 of this Order may, without prejudice to any other sentence it may pass, direct that any cloth or yarn, in respect of which it is satisfied that such a contravention has occurred, shall be forfeited to His Majesty.

*Notification No. 3816 D. C. S., dated the 12th April, 1945 (published in the "Calcutta Gazette" of the 14th April, 1945, Pt. I, p. 99).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (1) This Order may be called the Calcutta Industrial Area Cotton Cloth and Yarn (Movements Restriction) Order, 1945.

(2) It shall come into force at once.

2. In this Order—

- (a) "the Calcutta Industrial Area" means the area specified in the Schedule to this Order;
- (b) the words "Cloth" and "Yarn" have the same meanings as in the Bengal Cotton Cloth and Yarn Control Order, 1943.

3. (1) During the continuance in force of this Order, no person shall move any cloth or yarn from any place inside the Calcutta Industrial Area to any place outside such area and no Railway Authority or Steamship Company shall accept any cloth or yarn for transport by such authority or company from any place inside the Calcutta Industrial Area to any place outside such area:

Provided that the provisions of this sub-paragraph shall not apply—

- (a) to the movement of any used apparel, clothes or underclothes; or
- (b) to the movement of any cloth or yarn by His Majesty's forces; or
- (c) to the movement of any cloth or yarn for the movement of which a permit has been granted by the Director-General of Consumer Goods appointed by the Provincial Government or by any Officer authorised in writing in this behalf by the said Director-General.

(2) Every application for a permit referred to in clause (c) of the proviso to sub-paragraph (1) shall be made in writing and in duplicate to the said Director-General, and every such application shall contain the names of the consignor and the consignee of the cloth or yarn to be moved, a full description of such cloth or yarn and a description of the marks of identification on the boxes, bales or packages in which such cloth or yarn is contained.

4. A Court trying any contravention of paragraph 3 of this Order may, without prejudice to any other sentence it may pass, direct that any cloth or yarn, in respect of which it is satisfied that such contravention has occurred, shall be forfeited to His Majesty.

#### **The Schedule.**

(A) The whole of police-stations (1) Budge-Budge, (2) Maheshtala, (3) Behala, (4) Tollygunge, (5) Metiabruz, (6) Dum-Dum, (7) Baranagore, (8) Khardaha, (9) Titaghur, (10) Barrackpore, (11) Noapara, (12) Jagaddal, (13) Naihati and (14) Bijpur, in the district of 24-Parganas.

(B) The whole of police-stations (1) Sibpore, (2) Bantra, (3) Howrah, (4) Golabari, (5) Malipanchgara and (6) Bally, in the district of Howrah.

(C) The whole of police-stations (1) Uttarpara, (2) Serampore, (3) Bhadreswar, (4) Chinsura and (5) Magra, in the district of Hooghly.

*Notification No. 6523 S., dated the 24th December 1945 (published in the "Calcutta Gazette, Extraordinary" of the 28th December 1945 p. 601).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

#### **Order.**

1. (1) This Order may be called the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1946.

(2) It extends to the whole of the Chittagong Hill-tracts.

(3) It shall come into force on the 1st day of January 1946.

2. The Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, is hereby repealed:

Provided that the repeal shall not affect any penalty, forfeiture or punishment incurred in respect of any contravention of the said Order and that all proceedings commenced under the provisions of that Order shall be continued and, so far as may be, shall be deemed to have been commenced under the corresponding provisions of this order.

3. In this Order, unless there is anything repugnant in the subject or context,—

- (a) “Cloth” and “Yarn” mean respectively any type of cloth and yarn either manufactured wholly from cotton or manufactured partly from cotton and partly from any other material and containing not less than ten per centum cotton by weight, and “cloth” includes cloth made into garments, and yarn made into hosiery goods, but does not include articles which are Indian woollen goods as defined in the Indian Woollen Goods (Control) Order, 1944; and “Yarn” includes also all kinds of sewing thread and hosiery yarn;
- (b) “Controller” means the Deputy Commissioner, Chittagong Hill-tracts, and includes an officer authorised by the said Deputy Commissioner in writing to perform, subject to the general control and supervision of the Deputy Commissioner, all or any of the functions of the Controller under this Order;
- (c) “dealer” means a person other than a manufacturer, engaged in the business of buying and selling or storing for sale cloth or yarn or both, whether or not in conjunction with any other business, and includes, a wholesale dealer, a retail dealer, a hawker, a dealer in hosiery goods or yarn, a dealer in ready-made garments of cloth and the proprietor of a tailoring establishment,
- (d) “dealer in ready-made garments” means a person who engages in the business of buying and selling or making and selling or storing for sale ready-made garments other than *dhotis* and *saris*;
- (e) “hawker” means a person who goes from place to place or from house to house carrying or exposing for sale for consumption by the purchasers, cloth or yarn or both, or samples of cloth or yarn or both to be afterwards delivered to such purchasers;
- (f) “manufacturer” means a person engaged in the manufacture of cloth or yarn or both and includes a person who uses cloth or yarn or both as an accessory in the course of his trade, business or profession, but does not include a processor, weaver or a person who makes garments from cloth;
- (g) “processor” means a person other than a manufacturer or a weaver who is engaged in the work of carrying out any process on cloth or yarn, such as dyeing, bleaching, printing, embroidering or any similar process, which effects some permanent or semi-permanent change in the appearance of the cloth or yarn;
- (h) “retail dealer” means a dealer who sells cloth for consumption by the purchasers only and sells yarn to weavers only, and includes a tailoring establishment;
- (i) “weaver” means a person who manufactures cloth from yarn solely by manual power and includes a master weaver;
- (j) “wholesale dealer” means a dealer who sells cloth or yarn or both to a manufacturer or to another dealer.

4. No person shall, after the commencement of this Order, engage in any undertaking which involves the manufacture, purchase, sale or storage

for sale of cloth or yarn or both, unless he holds a license in this behalf under this order and except in accordance with the conditions specified in such license:

Provided that persons who were licensed under the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944 or who were engaged before the commencement of this Order in any undertaking which involves the manufacture of cloth or yarn or both shall be allowed two months from such commencement to obtain a license under this Order and during the said period of two months a license issued under the said Order and in force at the commencement of this Order shall, until a license is issued under this Order, be deemed to be a license issued under this Order:

Provided further that nothing in this paragraph shall apply to the manufacture of any cloth by any indigenous hillman by the use of his own household handloom for consumption in his own household.

5. All applicants for licenses under this Order, shall, for the purposes of this Order, be classified under one of the groups specified in Schedule I to this Order and the license fees payable by persons classified under any of the said groups shall be the amount specified against that group.

6. (1) All applications for the issue of licenses under this Order shall be made to the Controller in Form A as set forth in Schedule II to this Order.

(2) The Provincial Government may specify the manner in which the license fee referred to in paragraph 5 shall be paid and no license shall be issued unless the license fee payable in respect thereof under the said paragraph has been paid.

7. Licenses under this Order shall be issued by the "Controller" in Form B as set forth in Schedule II to this Order.

8. The Controller may, for reasons to be recorded in writing, refuse to grant a license under this Order.

9. (1) Every license issued under this Order shall specify—

- (a) the class of business in respect of which the license is granted;
- (b) the premises or the area in which the licensee shall carry on business; and
- (c) the premises or places where cloth or yarn may be stored by the licensee.

(2) A license issued under this Order shall ordinarily authorise the licensee to carry on business in any of the manners specified in the different items of the particular group in Schedule I to this Order under which he has been classified under paragraph 5:

Provided that it shall be competent for the Controller to restrict the licensee to the carrying on of business in the manner specified in any one or more of the items of the particular group under which he has been classified.

(3) A licensee who has been classified under any of the groups specified in Schedule I to this Order and has been granted a license under this Order authorising him to carry on business in the manner specified in any or all of the items under that group shall not carry on business in the manner specified in any of the items under any other group in that Schedule unless he has been specially permitted to do so by the Controller and unless he holds a separate license issued to him in that behalf under this Order.

(4) No licensee shall carry on his business or store any cloth or yarn to which the license relates except in the premises, area or places, as the case may be specified in his license.



(5) If the licensee intends to store any cloth or yarn in any place, premises or godown other than one of those already mentioned in the license, he shall intimate the address of such place, premises or godown to the Controller and shall not store any cloth or yarn in such place, premises or godown until the Controller has endorsed it on the license.

(6) If any licensee except a hawker is carrying on business in more than one place a separate license shall be taken for every such place of business. But hawkers will be allowed to hawk in any place within the subdivision for which they hold licenses.

*Explanation.*—For the purposes of this sub-paragraph, a godown or any other premises or place where cloth or yarn to which the license relates is stored shall not be deemed to be a separate place of business.

10. Every license issued under this Order shall be valid up to the 31st December next following the date of its issue and may, at the discretion of the Controller, be renewed for successive periods of one year on application made in that behalf to the Controller and on payment of such license fee, as may be specified in this behalf by the Provincial Government:

Provided that the Controller may, for reasons to be recorded in writing, refuse to renew a license.

11. If a license granted under this Order is defaced, lost or destroyed, the Controller may after making such inquiry as he deems necessary, issue a fresh license in place thereof on payment of a fee of one rupee, and thereupon the license that has been defaced, lost or destroyed shall be deemed to be cancelled.

12. (1) Every dealer shall comply with any special or general directions issued to him in writing by the Controller for the purposes of this Order.

(2) Notwithstanding any order issued by any other authority, the Controller may from time to time issue directions to a dealer holding stocks of cloth or yarn to supply to such other dealers or persons, such quantities of cloth or yarn at such rates within such time as may be specified by the Controller and may from time to time issue such general or special directions to a dealer with regard to the storage, sale and transport of cloth or yarn as the Controller may deem fit.

(3) A dealer shall not sell in any one transaction to another dealer holding a license under this Order or to a weaver or to any other purchaser, as the case may be, cloth or yarn exceeding such quantity as may be specified in this behalf by the Controller.

13. (1) Every holder of a license issued under this Order shall furnish such information as the Controller or any officer authorised in this behalf in writing by the Controller may by general or special order demand of him for the purposes of this Order.

(2) Every wholesale dealer shall submit to the Controller before the seventh day of each calendar month a return of all cloth and yarn in his possession or under his control at the end of the first day of the month in which the return is submitted and every such return shall be in such form as may be specified by the Controller.

14. Every dealer shall keep in such form as may be specified in this behalf by the Controller such books of accounts and other records relating to his undertaking as the Controller may, by general or special order, direct.

15. Every holder of a license under this Order other than a hawker shall, by the 10th day of February, 10th day of May, 10th day of August and 10th day of November, in each year, submit to the Controller a true

statement of stocks of cloth and yarn held by him on the last date of the preceding month of January, April, July and October respectively in such form as may be specified by the Controller.

16. (1) Where the maximum prices of any cloth or yarn have not been fixed under clause 10 of the Cotton Cloth and Yarn (Control) Order, 1945 the maximum prices at which such cloth or yarn may be sold shall be such as may be fixed by the Controller and the maximum prices so fixed may be different for different classes of cloth and yarn and for different classes of dealers.

(2) No person shall sell or offer to sell or purchase any cloth or yarn of which the maximum price has been fixed under the Cotton Cloth and Yarn (Control) Order, 1945, or under sub-paragraph (1) at a price higher than the maximum price so fixed.

17. Any officer authorised in this behalf by the Controller by general or special order in writing may enter upon and inspect any premises in which he has reason to believe that the manufacture, purchase, sale or storage for sale of any cloth or yarn is taking place contrary to the provisions of this Order.

18. No manufacturer of yarn shall sell yarn to any person other than a dealer holding a license in respect of purchase or sale or storage for sale of yarn under this Order.

19. (1) A dealer other than a hawker shall display in a conspicuous position at his place of business a list in the most commonly understood language of the locality showing the maximum legal price in respect of all such kinds of cloth in his shop or store as have prices stamped thereon and shall not withhold from sale any such cloth to any person on demand and offer of the maximum legal price.

(2) A hawker shall carry a list in the most commonly understood language of the locality showing the maximum retail prices of all such kinds of cloth carried or exposed for sale by him as have prices stamped thereon.

20. (1) Every dealer, other than a hawker, shall issue to every person who purchases any cloth or yarn from him a true cash memorandum or credit note, as the case may be, in respect of such purchase, of which such dealer shall keep a duplicate which shall be produced by such dealer for inspection on demand by the Controller or any officer authorised in writing by the Controller in this behalf, and which contains the following details, namely :—

- (a) the name, license number and address of the dealer;
- (b) the date of the transaction;
- (c) the name and address and license number (if any) of the purchaser;
- (d) a detailed description of goods sold;
- (e) the quantity sold;
- (f) the rate at which such goods were sold;
- (g) the unit of sale,

*Explanation.*—In this item, “unit” means the unit of quantity by reference to which the goods are sold;

- (h) the total price of each item of goods sold in the transaction; and
- (i) the salesman’s signature.

(2) The duplicate of every cash memorandum and every credit note issued under sub-paragraph (1) shall be preserved for one year from the date of issue.

21. A licensee shall surrender his license to the Controller for cancellation within one month of the date on which he ceases to carry on his business and shall at the time of so surrendering the license declare in writing before the Controller the stock held by him on the said date.

22. (1) No person, being the holder of a license under this Order, shall contravene any of the conditions subject to which he holds the license.

(2) The Controller may, if he is of opinion that any person holding a license under this Order has contravened any of the provisions of this Order, or any of the conditions of his license or any of the provisions of the Cotton Cloth and Yarn (Control) Order, 1945 or of any rule made under that Order cancel the license of such person without prejudice to any other action that may be taken against such person.

(3) Notwithstanding anything contained in sub-paragraph (2), the Controller may, without giving any previous notice or without assigning any reason, suspend or cancel a license issued or renewed under this Order.

23. The Controller or any Officer authorised in writing by the Controller in this behalf by general or special order may, with a view to securing compliance with this Order—

(a) require any person to give any information in his possession with respect to any business carried on by that person or any other person;

(b) inspect or cause to be inspected any books or other documents as well as any stocks of cloth, belonging to or under the control of any person;

(c) enter and search or authorise any person to enter and search any premises in which the purchase or sale of any cloth or yarn is taking place or any cloth or yarn is stored or in which he has reason to believe that the purchase or sale of any cloth or yarn is taking place or any cloth or yarn is stored.

24. Any person searching any premises under the provisions of clause (c) of paragraph 23, may seal or cause to be sealed, in such manner as he may see fit, the premises so searched, or any box, bale or package in such premises, which contains or which he has reason to believe contains cloth or yarn, and he may also pack and seal in such manner as he may see fit any cloth or yarn in such premises which may be found in an unpacked condition, or instead of so sealing any such box, bale or package, or so packing and sealing any cloth or yarn, he may, if he deems it expedient, seize any such box, bale, package, cloth or yarn, in respect of which he has reason to believe that any contravention of this Order has occurred.

25. During the search of any premises under the provisions of clause (c) of paragraph 23 or at any time after such a search has been made, any person authorised in writing in this behalf by the Controller may enter or re-enter such premises and make an inventory of any cloth or yarn in such premises, and may for this purpose open any box, bale or package which contains, or which he has reason to believe contains, cloth or yarn and he may also for this purpose break any seal affixed to any box, bale, package, cloth or yarn and re-seal it in the same manner.

26. Subject to the provisions of paragraph 25 no person other than a person authorised in writing in this behalf by the Controller shall break or tamper with in any way any seal affixed under paragraph 24 or paragraph 25 to any box, bale or package or to any cloth or yarn packed under either of the said paragraphs or remove from any premises any box, bale, package, cloth or yarn to which a seal has been affixed under either of the said paragraphs.

27. Any person searching any premises under clause (c) of paragraph 23 may, by order in writing, direct the owner, occupier or person in charge or control of such premises, or any employee of such owner, occupier or person, to furnish him forthwith—

- (a) with any information in regard to any other premises owned, occupied or controlled in any way by such owner, occupier or person in charge or control of the premises so being searched, and the person so directed shall comply with such a direction to the best of his knowledge and belief;
- (b) with a true statement of the quantities of cloth and yarn of each different type or quality in the premises so being searched at the time of commencement of such search.

28. Every hawker, or weaver holding a license under this Order shall carry with him his license and produce it for inspection on demand by the Controller or by any officer authorised in writing in this behalf by general or special order by the Controller and every other person holding a license under this Order shall display his license in a conspicuous position at his place of business.

29. A Court trying any contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any cloth or yarn in respect of which it is satisfied that such contravention has occurred shall be forfeited to His Majesty.

30. The Provincial Government may by general or special Order—

- (a) exclude any class of cloth or yarn specified in such Order from the operation of this Order;
- (b) exempt any person or class of persons from the operation of all or any of the provisions of this Order.

### **Schedule I.**

(See paragraph 5.)

#### **GROUP A—Rs. 10.**

(*Wholesale dealers.*)

1. Wholesale dealers (cloth).
2. Wholesale dealers (yarn).
3. Wholesale dealers in hosiery goods.
4. Wholesale dealers in handloom cloth and handspun yarn.
5. Tailoring establishment (wholesale).
6. Wholesale dealers in ready-made garments other than tailoring establishment.

#### **GROUP B—Rs. 5.**

(*Retail dealers.*)

1. Retail dealers (cloth).
2. Retail dealers (yarn).
3. Tailoring establishment (retail).
4. Retail dealers in ready-made garments other than tailoring establishment.
5. Handloom cloth dealers (retail).
6. Retail dealers in sewing thread.
7. Retail dealers in bedding stores.
8. Retail dealers in hosiery goods.
9. Standard cloth dealers only.

**GROUP C—Rs. 2.***(Hawkers.)*

1. Hawkers (cloth only).
2. Hawkers (yarn only).
3. Hawkers (dealing in ready-made garments other than tailoring establishment).

**GROUP D—Rs. 1 per loom.**

(Manufacturers of handloom cloth and handspun yarn including the right to hawk them.

**Schedule II.****Form. A.**

Application No.....

**GOVERNMENT OF BENGAL.****The Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1946.***Application for the grant of a license to deal in cloth/yarn.*

Class of license required. Group A/B/C/D.

1. Name of applicant to whom the license is to be issued.....
2. In the case of a firm—Names and addresses of all partners and whether any of them held any class of license under this order or any license for dealing in cloth/yarn.....
3. In the case of a joint stock company—Names and addresses of all directors and agents.....
4. In the case of a co-operative society—Names and addresses of the members of the managing body or officials appointed for the purpose.....
5. Exact address of the office, if it is different from the place of business, i.e., shops.....
6. Exact address of the place where business is to be conducted, i.e., shops.....
7. Exact address of the place or places of storage of yarn/cloth.....
8. (a) In what class of yarn/cloth business has the applicant previously carried on business and since when (English calendar date).....
- (b) Whether the applicant was in yarn/cloth business continuously from 1st January 1940 to 31st December 1942 (if only part of this period, give date) and in what class of business during the period.....
9. Whether the applicant had previously applied for a license under the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, and if so, with what result.....
10. Number and place of issue of license, if any, granted under the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944.....
11. The class of license applied for (e.g., Group "B", 1 and 3), main business conducted.

12. Whether the applicant is a minor.
13. Whether the applicant has any license to deal in yarn/cloth in any part of India other than Bengal.....
14. Whether the applicant is a member or partner of any other firm or company holding a license to deal in yarn/cloth. If so, give the name and place of business of the firm or company.....
- .....

Signature.....

Dated.....194.....

*Note.*—A license granted under this Order is liable to cancellation if the information supplied in this form is found to be incorrect, or incomplete.

### Form B.

## GOVERNMENT OF BENGAL.

### Office of the Controller of Textiles.

*License for the manufacture, sale or storage for sale of cloth or yarn.*

1. License No.....of Group.....
2. Area.....
3. Name under which the undertaking is carried on.....
4. Address where the undertaking is carried on.....
5. Address of godown or other premises where yarn or cloth is stored
6. This license will expire on the 31st December 19 ..
7. The licensee shall hold the license subject to the conditions specified below.

*Signature of the Controller.*

Date.....

### Conditions of License.

1. This license is being issued subject to the provisions of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1946.

2. The licensee, if a hawker shall carry with him his license when carrying on business and produce it for inspection on demand by the Controller or by any officer authorised in writing in this behalf by the Controller and if not a hawker, shall display his license in a conspicuous position at his place of business.

3. If the licensee intends to store any cloth or yarn in any place, premises or godown other than those already mentioned in the license, he shall intimate the address of such place, premises or godown to the Controller and shall not store any cloth or yarn in such place, premises or godown until the Controller has endorsed it on the license.

4. The licensee shall give all facilities to the Controller or to any person authorised in writing in this behalf by the Controller to inspect his stock and accounts at any shop, godown or other place used by him for the storage of cloth or yarn or both.

5. The licensee shall comply with all directions that may be given by the Controller in regard to the purchase, sale or storage of cloth or yarn or both.

6. The licensee if he is not a hawker, shall issue to every customer a true cash memorandum or credit note, as the case may be, giving his name, license number and address, the date of the transaction, the name and address and license number (if any) of the purchaser, a detailed description of goods sold, the quantity sold, the rate at which sold, the unit of sale, the total price of each item of goods sold and the salesman's signature, and shall keep a duplicate of the same to be available for inspection on demand by the Controller or any officer authorised in writing by the Controller in this behalf and shall preserve every such cash memorandum and credit note for one year from the date of issue.

7. If the licensee contravenes any of the provisions of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1946, or any of the conditions subject to which he holds this license or any of the provisions of the Cotton Cloth and Yarn (Control) Order, 1945, or of any rule made under that Order, then without prejudice to any other action that may be taken against him his license may be cancelled by the Controller.

8. Notwithstanding anything contained in clause 7, the Controller may without giving any previous notice or without assigning any reason suspend or cancel this license.

*Notification No. 12S., dated the 19th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 475).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 4 of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, the Governor is pleased to specify the following licence fees which are to be paid at the time of making applications for licences under the said sub-paragraph, namely:—

- (a) In the case of an application by a wholesale-dealer—Rs. 10.
- (b) In the case of an application by a retail dealer—Rs. 5.
- (c) In the case of an application by a hawker—Re. 1.

*Notification No. 1657 (Cy.), dated the 20th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 475).*

In pursuance of the provisions of sub-paragraph (1) of paragraph 4 of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, I hereby direct that the licence fee to be paid at the time of making application for licences under the said sub-paragraph by a wholesale dealer, a retail dealer or a hawker shall be paid in the following manner, namely:—

the fee shall be paid into the Government Treasury under the head "Licence fees under Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944", under head "L. I. Extraordinary Receipts—Other items" and on such payment the applicant shall enclose a receipted copy of the challan received by him from the Government Treasury with the application for licence under sub-paragraph (1) of paragraph 4 of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, to show that such payment has been made.

**Notification No. 13S., dated the 19th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 475).**

In exercise of the power conferred by paragraph 5 of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, the Governor is pleased to specify the following licence fees to be paid for the renewal of licences under the said paragraph, namely:—

- (a) For every renewal of a licence by a wholesale dealer—Rs. 10.
- (b) For every renewal of a licence by a retail dealer—Rs. 5.
- (c) For every renewal of a licence by a hawker—Re. 1.

**Notification No. 2775 (C. Y.), dated the 26th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 727).**

In pursuance of the provisions of sub-paragraph (2) of paragraph 12 of the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944, I hereby specify the following form to be the form in which the monthly return under sub-paragraph (1) of that paragraph shall be submitted, namely:—

**"Form of Return.**

Name of the dealer.....

Address of the dealer.....

*Cotton cloth and yarn in stock on.....*

Materials.	Stock in bales/yds.		Stock in pieces or cut pieces.	Total stocks.
	Bales.	Yds.	Yds.	Yds.
1. All cotton cloth normally sold on the yardage basis— (a) Imported .. .. (b) Manufactured by Indian mills and power looms. (c) Handloom products ..				
2. Dhotis and sarees— (a) Imported .. .. (b) Manufactured by Indian mills and power looms. (c) Handloom products ..	Bales.	Nos.	Nos.	Nos.
3. All other materials normally sold by numbers such as sheets, chaddars, towels, etc.— (a) Imported .. .. (b) Manufactured by Indian mills and power looms. (c) Handloom products ..	Bales.	Nos.	Nos.	Nos.
4. Anything not covered by the above, such as tents, etc.— (a) Imported .. .. (b) Manufactured by Indian mills and power looms.	Bales.	Lbs.	Lbs.	Lbs.
5. Yarn of all types— (a) Imported .. .. (b) Manufactured by Indian mills and power looms.	Bales.	Lbs.	Lbs.	Lbs.



*Declaration.*

I/We hereby declare that the above return correctly sets out the stocks of cotton cloth and yarn held by me  
 the said (name and address of the dealer where the dealer is a firm or company) at (address of the premises where such stocks are held) and that separate and true returns are being submitted to the appropriate authorities in regard to all other stocks of cotton cloth and yarn held by me  
 the said (name of the dealer, where the dealer is a firm or company) in other premises in the Chittagong Hill Tracts.

*Signature of the dealer.*

(or where the dealer is firm or company, signature of the proprietor, manager, secretary or managing agent of the firm or company  
 .....)

*Note.*—(1) The above form of return of stocks of cotton cloth and yarn is to be submitted only by wholesale dealers as defined in the Chittagong Hill-tracts Cotton Cloth and Yarn Control Order, 1944.

(2) The return of stocks must be submitted before the seventh day of each month in respect of the stocks in the dealer's possession or under his control at the end of the first day of the month.

(3) Imported cotton cloth and yarn are covered by the provisions of this order and the return must therefore include not only stocks of cotton cloth and yarn manufactured in India including handloom products but also stocks of imported cotton cloth and yarn.

(4) Dealers shall submit the return in duplicate to the Provincial Textile Controller through the Deputy Commissioner, Chittagong-Hill Tracts.

(5) Dealers may submit return in manuscript forms."

*Notification No. 6028D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 23rd April, 1945, p. 105).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (i) This Order may be called the Howrah Cotton Cloth and Yarn (Movements Restriction) Order, 1945.

(ii) It shall come into force at once.

(iii) It extends to the whole of the district of Howrah.

2. In this Order the words "cloth" and "yarn" have the same meanings as in the Bengal Cotton Cloth and Yarn Control Order, 1943.

3. (1) During the continuance in force of this Order no person shall move any cloth or yarn from any place inside the district of Howrah to any place outside the district of Howrah, and no railway authority or steamship

company shall accept any cloth or yarn for transport by such authority or company from any place inside the district of Howrah to any place outside the district of Howrah :

Provided that the provisions of this sub-paragraph shall not apply,—

- (a) to the movement of any used apparel, clothes or underclothes; or
- (b) to the movement of any cloth or yarn by His Majesty's forces; or
- (c) to the movement of cloth or yarn for the movement of which a permit has been granted by the Director-General of Consumer Goods appointed by the Provincial Government or by any officer authorised in writing in this behalf by the said Director-General.

(2) Every application for a permit referred to in clause (c) of the proviso to sub-paragraph (1) shall be made in writing and in duplicate to the said Director-General, and every such application shall contain the names of the consignor and the consignee of the cloth or yarn to be moved, a full description of such cloth or yarn and a description of the marks of identification on the boxes, bales or packages in which such cloth or yarn is contained.

4. A Court trying any contravention of paragraph 3 of this Order may, without prejudice to any other sentence it may pass, direct that any cloth or yarn, in respect of which it is satisfied that such contravention has occurred, shall be forfeited to His Majesty.

*Notification No. 6030 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 23rd April, 1945, p. 105).*

Whereas with a view to securing compliance with the provisions of the Bengal Cotton Cloth and Yarn Control Order, 1943, it is expedient to provide for the search of premises in the district of Howrah and for certain other supplementary matters;

Now, therefore, in exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### **Order.**

1. (1) This Order applies to the district of Howrah.

(2) It shall come into force at once.

2. In this Order the words "cloth" and "yarn" have the same meanings as in the Bengal Cotton Cloth and Yarn Control Order, 1943.

3. During the continuance in force of this Order, any police officer not below the rank of Sub-Inspector, and any other person authorised in this behalf by order in writing of the District Magistrate of Howrah or of the Director-General of Enforcement appointed by the Provincial Government, may at any time enter and search any premises in which cloth or yarn is stored or in which he suspects or has reason to believe that cloth or yarn is stored.

4. Any police officer or person searching any premises under the provisions of paragraph 3 of this Order, may seal or cause to be sealed, in such manner as he may see fit, the premises so searched or any box, bale, or package in such premises, which contains or which he suspects or has reason to believe contains cloth or yarn, and he may also pack and seal in such

manner as he may see fit any cloth or yarn in such premises which may be found in an unpacked condition, or instead of so sealing any such box, bale or package or so packing and sealing any cloth or yarn, he may, if he deems it expedient, seize any such box, bale, package, cloth or yarn, in respect of which he has reason to believe any contravention of the Bengal Cotton Cloth and Yarn Control Order, 1943, has occurred.

5. During the search of any premises under this Order, or at any time after such a search has been made, any police officer not below the rank of Sub-Inspector or any person authorised in writing in this behalf by the District Magistrate of Howrah or by the Director-General of Enforcement appointed by the Provincial Government, may enter or re-enter such premises and make an inventory of any cloth or yarn in such premises, and may for this purpose open any box, bale or package which contains or which he suspects or has reason to believe contains, cloth or yarn and he may also for this purpose break any seal affixed to any such box, bale, package, cloth or yarn and re-seal it in the same manner.

6. Subject to the provisions of paragraph 5 of this Order, no person, other than a police officer authorised in writing in this behalf by the District Magistrate or the Superintendent of Police of Howrah, shall break or tamper with in any way any seal affixed under paragraph 4 or paragraph 5 to any box, bale or package, or to any cloth or yarn packed under the said paragraph, or remove from any premises any box, bale, package, cloth or yarn to which a seal has been affixed under either of the said paragraphs.

7. Any police officer or person searching any premises under paragraph 3 may, by order in writing, direct the owner, occupier or person in charge or control of such premises, or any employee of such owner, occupier or person to furnish him forthwith,—

(a) with any information in regard to any other premises owned, occupied or controlled in any way by such owner, occupier or person in charge or control of the premises so being searched, and the person so directed shall comply with such a direction to the best of his knowledge and belief;

(b) with a true statement of the quantities of cloth and yarn of each different type or quality in the premises so being searched at the time of commencement of such search.

8. Any Court trying any contravention of paragraph 6 or paragraph 7 of this Order, may, without prejudice to any other sentence it may pass, direct that any box, bale or package of cloth or yarn in respect of which it is satisfied that such contravention has occurred, shall be forfeited to His Majesty.

*Notification No. 9645 D.C.S., dated the 17th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1246).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of notification No. 5815(C.Y.), dated the 21st August 1944, the Governor is pleased to make the following Order, namely:—

### **Order.**

1. No carrier shall deliver any parcel or consignment of cloth or yarn from a railway or steamer station or any other place within the areas mentioned in column I of the Schedule appended to this Order unless the railway receipt, bill of lading or other document under which the consignee is

entitled to receive delivery of the parcel or consignment is countersigned by any of the officers specified in the corresponding entries in column II of the said Schedule:

Provided that no such countersignature will be necessary where the parcel or consignment of cloth or yarn,—

- (i) belongs to His Majesty;
- (ii) is booked under a Military Credit Note; or
- (iii) does not exceed twenty pounds in weight.
- (iv) belongs to the Bengal Textile Association formed under the provisions of the Bengal Textile Association Ordinance, 1945, and is in respect of bales received from outside Bengal.

2. In this order,—

- (a) “cloth” and “yarn” have the same meanings as in the Bengal Cotton Cloth and Yarn Control Order, 1945;
- (b) “carrier” means a Port Authority or a Railway Administration and includes a company whether incorporated or not, a firm whether registered or not or any other person engaged in the business of carrying goods;
- (c) “Calcutta and Industrial Area” means—
  - (i) the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908,
  - (ii) the Sadar subdivisions of the districts of Howrah, Hooghly and the 24-Parganas, and
  - (iii) the Serampore subdivision of the district of Hooghly.

### The Schedule.

#### Column I.

#### Column II.

- |   |   |
|---|---|
| (i) Calcutta and Industrial Area  | .. (i) The Director of Textiles or an Additional Director of Textiles appointed by the Provincial Government or an officer authorised in this behalf by either of them in writing.  |
| (ii) Any subdivision of Bengal other than those included within Calcutta and Industrial Area. | (ii) (a) The Director of Textiles or an Additional Director of Textiles appointed by the Provincial Government or an officer authorised in this behalf by either of them in writing ; or<br>(b) The District Controller of Civil Supplies of the district within which the subdivision concerned is situated or in his absence the District Magistrate of such district ; or<br>(c) The Subdivisional Controller of Civil Supplies of the subdivision concerned or in his absence the Subdivisional Magistrate of such subdivision. |

*Notification No. 1154D.C.S., dated the 23rd January, 1946 (published in the "Calcutta Gazette" of the 31st January, 1946, Pt. I, p. 266).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 2662-(S.C.), dated the 25th August 1944, published at page 1080 of Part I of the *Calcutta Gazette* of the 31st August, 1944, the Governor is pleased to direct that with effect from the date of publication of this notification in the *Calcutta Gazette*, the maximum prices of cloths described below which are distributed by Government and known as "Standard Cloths" and bear the Standard Marking specified below, shall for the whole of Bengal excepting the Chittagong Hill Tracts, be as follows:—

**Schedule of prices of Standard Cloth.**

[Not printed here.]

*Notification No. 2743D.C.S., dated the 26th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th February, 1946, Pt. I.)*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in partial supersession of notification No. 1154D.C.S., dated the 23rd January, 1946, published at page 266 of Part I of the *Calcutta Gazette* of the 31st January, 1946, the Governor is pleased to direct that, with effect from the 28th February, 1946, the maximum prices of cloths described below which are distributed by Government and known as "Standard Cloths", and bear the Standard Marking specification below, shall for the whole of Bengal excepting the Chittagong Hill-Tracts, be as follows and to direct further with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the same in the *Calcutta Gazette*:—

**Schedule of prices of Standard Cloth.**

[Not printed here.]

**(v) ELECTRICITY.**

*Notification No. 2305 Com., dated the 28th June, 1943 (published in the "Calcutta Gazette" of the 1st July, 1943, Pt. I, p. 1138).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

<sup>1</sup>[1. On the application of a licensee to whom a license has been granted under section 3 of the Indian Electricity Act, 1910, or of a person engaged in the business of supplying electrical energy to the public with the previous sanction of the Provincial Government under sub-section (1) of section 28 of the said Act in the Province of Bengal, the Provincial Government shall, on being satisfied that a surcharge in terms of this Order is desirable, by order fix the rate of surcharge on the amount of each bill for the supply of electrical energy by such licensee or person at an amount not exceeding—

(a) in the case where diesel oil or steam is used by such licensee or person for the generation of electricity, twenty-five per cent., and

<sup>1</sup>Substituted by notification No. 3939 Com., dated the 18th September, 1945.

(b) in the case where hydro-electric power is used by such licensee or person for the generation of electricity, fifteen per cent.

of the amount of each such bill calculated in accordance with the lowest rates charged by such licensee or person for the supply of electrical energy between the 1st September, 1939, and the 30th April, 1943, notwithstanding that the maximum rate or charge for the supply of electrical energy chargeable by such licensee or other person in accordance with the conditions of the license or sanction is thereby exceeded.]

2. No surcharge shall be levied under paragraph 1 if the profits of the licensee or other person <sup>1</sup>[concerned] exceed after the levy of such surcharge the amount of profits of such licensee or person in the year immediately preceding the 3rd September, 1939:

Provided that in calculating the profits after the levy of the surcharge due regard shall be had to any additional business secured and to any increase in the units of electrical energy generated and sold since the said date:

Provided further that nothing in this paragraph shall apply to licensees to whom license has been granted under section 3 of the Indian Electricity Act, 1910, or other persons who have obtained previous sanction under sub-section (1) of section 28 of the said Act after the said date.

3. In calculating the amount of a bill by a licensee or other person for the purposes of <sup>1</sup>[the levy of surcharge under paragraph 1], the electricity duty leviable under the Bengal Electricity Duty Act, 1935, or any rebate allowed by such licensee or other person on charges for the supply of electrical energy shall not be taken into consideration.

<sup>1</sup>[4. (1) Upon the rate of a surcharge being fixed by the Provincial Government in accordance with this Order it shall not be lawful for the licensee or person concerned to supply energy at other than charges surcharged at the rate so fixed:

Provided that no surcharge shall be effective upon charges contained in any bill covering any energy supplied before the making of the relevant order by the Provincial Government:

Provided further that no surcharge shall be effective upon the charges for the supply of energy under any contract entered into after the 1st May, 1942, unless such contract provides for the same charges for energy as have been contained in similar previous contracts for similar supply by the event of dispute by any party interested the licensee or person concerned (as to which in final) or unless and to such extent as such application may be expressly ordered by the Provincial Government.

(2) The rate of charges of the licensee or other person for the supply of electrical energy in respect of which a surcharge is levied and the rebate allowed shall be shown in a footnote in the first decision of the Provincial Government shall be bill sent by the licensee or such person to the consumer in which such surcharge is levied.

5. The provisions of this Order shall apply notwithstanding anything contained in any other law or in any license or sanction granted under the Indian Electricity Act, 1910, or in any contract or requisition for the supply of energy.]

<sup>1</sup>Substituted by notification No. 3939 Com., dated the 18th September, 1945.

*Notification No. 3374 Com., dated the 30th September, 1943 (published in the "Calcutta Gazette" of the 14th October, 1943, Pt. I, p. 1531).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### **Order.**

Notwithstanding any provision contained in the Calcutta Electric Licence, 1907, requiring the supply of direct current energy at low or medium pressure to consumers within specified areas of the licensee's area of supply, it shall be competent for the Calcutta Electric Supply Corporation, Limited, having its office at Victoria House, Calcutta, the licensee under the said licence, to supply alternating current energy to the United States Army Signals Department located on the third floor of the premises known as The Hindusthan Insurance Company's Building, Chittaranjan Avenue, Calcutta, subject to the following conditions, namely:—

- (i) that the service line to the said Hindusthan Insurance Company's Building shall consist of a 4-crore 0.0225 square inch underground cable laid by the shortest convenient route between Victoria House, Chowringhee Square, and the said Hindusthan Insurance Company's Building;
- (ii) that the service line shall be for the exclusive use of the said United States Army Signals Department and no tapping shall be taken therefrom; and
- (iii) that the supply of alternating current energy shall only be available to the said United States Army Signals Department.

*Notification No. 1960 Com., dated the 13th June, 1944 (published in the "Calcutta Gazette" of the 15th June, 1944, Pt. I, p. 792).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### **Order.**

1. Notwithstanding anything contained in any agreement between the licensees mentioned in Schedule I annexed to this Order and their consumers, the supply of electrical energy by such licensees and consumption thereof by their consumers <sup>1</sup>[in public cinemas shall be subject to the conditions specified in paragraph 2].

<sup>1</sup>2. (1) The interval during the cinematograph exhibitions at any public cinema shall not exceed a period of five minutes and no person shall exhibit or permit to be exhibited by the use of electrical energy at any public cinema any film or slide of the nature of trailers and advertisements except during such interval:

Provided that nothing in this sub-paragraph shall apply to the exhibition of any film or slide of the nature of trailers and advertisements which have, for the purpose of propagation of information, been previously approved by the Provincial Government or any officer authorised in this behalf by the Provincial Government.

---

<sup>1</sup>Substituted by notification No. 3354 Com., dated the 14th August 1945.

(2) The lighting arrangements in the auditoriums and halls of public cinemas shall be reduced to the minimum in the manner directed by the Provincial Government.]

### Schedule I.

1. Calcutta Electric Supply Corporation, Limited.
2. Gouripur Electric Supply Company, Ltd.
3. Dishergarh Power Supply Co., Ltd.
4. Associated Power Supply Co., Ltd.
5. Dacca Electric Supply Co., Ltd.
6. Electric Supply Company of Burdwan, Ltd.
7. Mymensingh Electric Supply Co., Ltd.
8. Bankura Electric Supply.
9. Midnapore Electric Supply.

*Notification No. 2112Com., dated the 26th June, 1944 (published in the "Calcutta Gazette" of the 29th June, 1944, Pt. I, p. 841).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

Notwithstanding any provision contained in the Calcutta Electric Licence, 1907, requiring the supply of direct current energy at low or medium pressure to consumers within specified areas of the licensee's area of supply, it shall be competent for the Calcutta Electric Supply Corporation, Ltd., having its office at Victoria House, Calcutta, the licensee under the said licence, to supply alternating current energy to premises No. 2, Waterloo Street, Calcutta, so long as the said premises are occupied by the United States Army Department, subject to the following conditions, namely:—

- (1) that the supply shall be given from the alternating current supply at the Great Eastern Hotel, Ltd., Calcutta;
- (2) that the supply shall be at a pressure of 400 volts between phases or at a pressure of 230 volts between a phase and the neutral conductors;
- (3) that the supply shall be for the exclusive use of the United States Army Department; and
- (4) that the supply shall be discontinued when no longer required by the United States Army Department.



**(vi) FOOD AND FOODGRAINS.**

*Notification No. 274 D.C.S., dated the 13th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 14th January, 1944, p. 7).*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Bengal Essential Foodgrains Possession and Storage Order, 1944.<sup>1</sup>

(2) It extends to the whole of Bengal.

(3) It shall come into force in such areas and on such dates as the Provincial Government may by notification in the *Official Gazette* direct.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context,—

(a) "essential foodgrains" means any of the foodgrains specified in the Schedule to this Order; and

(b) "maund" means the weight equivalent to a standard maund of 40 seers of 80 tolas per seer.

\*3. *Restrictions on possession and storage of essential foodgrains.*—No person other than a person licensed under the Foodgrains Control Order, 1942, shall, after the date on which this Order comes into force, have in his possession or under his control any quantity of essential foodgrains in excess of 20 maunds except under and in accordance with the conditions of a permit granted in this behalf by an officer authorised for this purpose by the Provincial Government:

Provided that nothing in this Order shall apply to the possession or storage [of any quantity not exceeding 500 maunds] by any person of essential foodgrains produced by himself or members of his family with or without the help of paid labourers or by the *adhiers*, *bargadars* or *bhagdars* of such person.

*Explanation.*—In the case of a household the stocks of essential foodgrains in the possession or under the control of the various members of the household shall be deemed for the purposes of this Order to be in the possession or under the control of the head of the household.

---

<sup>1</sup>This Order has since been repealed by notification No. 14594 D.C.S., dated the 8th December, 1945, as follows:—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to repeal the Bengal Essential Foodgrains Possession and Storage Order, 1944, with effect from the 13th December, 1945:

Provided that the said Order shall be deemed to continue in force for the purpose of any investigation or proceedings, whether commenced before or after the said 13th December, 1945, relating to any contravention of the said Order which has taken place before the said date.

II. With reference to sub-rule (1) of rule 119 of the Defence of India Rules, the Governor is further pleased to direct that notice of this Order shall be given by the publication of this Order in the *Calcutta Gazette* and by the issue of a press-note explaining its provisions.

\*With effect from the 25th September, 1945, the Agriculture Department is exempted from the operation of clause 3 of this Order for the purpose of storage of paddy seeds, *vide* notification No. 12159 D.C.S., dated the 27th September, 1945.

<sup>1</sup>Inserted by notification No. 7290 D.C.S., dated the 23rd May, 1945.

4. Every permit granted under this Order shall specify the quantity of the essential foodgrains which may be kept or stored <sup>1</sup>[in excess of the quantity which may be kept or stored without permit under paragraph 3 of this Order] and every person to whom such a permit has been granted shall send to the officer who issued the permit, a true and correct return of such essential foodgrains held by him for himself or on behalf of other persons during each calendar month on the last day of such month so as to reach him not later than the 7th day of the next succeeding month.

5. Any officer authorised by the Provincial Government or a District Magistrate in this behalf by a general or special order may enter upon and inspect any premises in which he has reason to believe that any essential foodgrains is being possessed or stored contrary to the provisions of this Order.

6. If any person contravenes the provision of paragraph 3 or paragraph 4 of this Order, then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall order that any stocks of foodgrains together with the packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the direction should not be made in respect of the whole, or as the case may be, a part of the property.

#### **Schedule.**

Rice husked. Rice in the husk.

*Notification No. 275 D.C.S., dated the 13th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 14th January, 1944, p. 8).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodgrains Possession and Storage Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 1st of February, 1944, throughout the Province of Bengal except in the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of the 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

---

<sup>1</sup>Substituted, *ibid*.

<sup>2</sup>Substituted by notification No. 6541 F.G.(Pro), dated the 30th December, 1944.

*Notification No. 321 F.G., dated the 17th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 70).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodgrains Possession and Storage Order, 1944, the Governor is pleased to authorise all the Deputy and Additional Deputy Directors of Civil Supplies to grant permits under the said paragraph within their respective jurisdictions.

*Notification No. 1087 D.C.S., dated the 31st January, 1945 (published in the "Calcutta Gazette" of the 15th February, 1944, Pt. I, p. 261).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodgrains Possession and Storage Order, 1944, and in supersession of notification No. 321 F.G., dated the 17th January, 1944, the Governor is pleased to authorise the officers mentioned in column 1 of the table below in respect of areas specified in the corresponding entries in column 2 of the said table to grant permits under the said paragraph:—

Officers.	Areas.
All Regional Controllers of Procurement	Within their respective regions.
All Deputy Regional Controllers of Procurement.	Within their respective jurisdictions.
District Magistrates and District Controllers of Civil Supplies, Faridpur, Dacca, Tippera, Noakhali and Chittagong.	Within their respective districts.

*Notification No. 1088 D.C.S., dated the 31st January, 1945 (published in the "Calcutta Gazette" of the 15th February, 1945, Pt. I, p. 261).*

In exercise of the power conferred by paragraph 5 of the Bengal Essential Foodgrains Possession and Storage Order, 1944, and in supersession of notification No. 322 F.G., dated the 17th January, 1944, the Governor is pleased to authorise the officers mentioned in column 1 of the table below in respect of the areas specified in the corresponding entries in column 2 of the said table to enter upon and inspect any premises in which any such officer has reason to believe that any essential foodgrain is being possessed or stored contrary to the provisions of the said Order:—

Officers.	Areas.
1	2
All Regional Controllers of Procurement	Within their respective regions.
All Deputy and Assistant Regional Controllers of Procurement.	Within their respective jurisdictions.
All Inspectors of Civil Supplies	Within their respective jurisdictions.

*Notification No. 9298 D.C.S., dated the 9th July, 1945 (published in the "Calcutta Gazette" of the 10th July, 1945, Pt. I, p. 1202).*

In exercise of the power conferred by paragraph 5 of the Bengal Essential Foodgrains Possession and Storage Order, 1944, the Governor is pleased

to authorise each officer of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector, to enter upon and inspect any premises in which he has reason to believe that any essential foodgrain is being possessed or stored contrary to the provisions of the said Order.

*Notification No. 1728 D. C. S., dated the 4th March, 1944.*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the order published under notification No. 269D.C.S., dated the 13th January, 1944, the Governor is pleased to make the following Order, namely:—

### **Order.**

1. (1) This Order may be called the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944.

(2) It extends to the whole of Bengal.

(3) It shall come into force in such areas and on such dates as the Provincial Government may, by notification in the official gazette, direct.

<sup>1</sup>[2. In this Order—

<sup>2</sup>[(1) “essential foodstuff” means—

(a) in the Calcutta Industrial Area any foodstuff specified in Schedule I to this Order,

(b) in the Calcutta Industrial (Extended) Area any foodstuff specified in Schedule IA to this Order, and

(c) in any other area any foodstuff specified in Schedule IB to this Order.]

(2) “normal quantity” of any essential foodstuff means—

(a) in the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area, the quantity specified in respect of such foodstuff in Schedule II to this Order, and

(b) in any other area, the quantity specified in respect of such foodstuff in Schedule III to this Order;

(3) the expressions “Calcutta Industrial Area” and “Calcutta Industrial (Extended) Area” have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.]

3. No person shall bring any essential foodstuff by land or by water into any area in which this Order is in force, except under and in accordance with the conditions of a permit granted in this behalf by an officer authorised for this purpose by the Provincial Government.

4. No person shall have in his possession or under his control, except under and in accordance with the conditions of a licence granted in this behalf by an officer authorised for this purpose by the Provincial Government more than the normal quantity of any essential foodstuff.

*Explanation.*—In the case of a person who is a householder the normal quantity shall be deemed to be the aggregate of the normal quantities specified for each member of his household including any servants living in and forming part of the household.

<sup>1</sup>Substituted by Notification No. 10200D.C.S., dated the 31st July, 1945.

<sup>2</sup>Substituted by Notification No. 214D.C.S., dated the 5th January, 1946.

5. (1) A permit under paragraph 3 or a licence under paragraph 4 shall be issued in such form as the Provincial Government may, by notification in the official gazette, direct.

(2) The Provincial Government may, by notification in the official gazette, specify—

(a) the scale of fees leviable in respect of any such permit or licence, and

(b) the manner in which such fees shall be payable.

6. Any officer authorised by the Provincial Government in this behalf by a general or special order may enter upon and inspect any premises in which he has reason to believe that any essential foodstuffs is being possessed or held contrary to the provisions of this Order.

7. (1) If any person contravenes the provisions of paragraph 3 or paragraph 4 of this Order, then without prejudice to any other punishment to which he may be liable, '[the court trying the offence shall order] that any stock of any essential foodstuffs together with the packages and coverings thereof in respect of which the court is satisfied that the offence has been committed shall be forfeited to His Majesty <sup>2</sup>[unless for reasons to be recorded in writing the court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property].

(2) Any essential foodstuff moved or attempted to be moved in contravention of paragraph 3 of this Order shall be liable to seizure by such persons as the Provincial Government may determine.

8. The provisions of this Order shall not apply to the movement or possession of any essential foodstuff by or on behalf of the Crown or His Majesty's forces or the forces of any nation in alliance with His Majesty.

9. The Provincial Government may by order exempt any person or class of persons from any or all of the provisions of this Order, subject to such conditions, if any, as may be specified in such Order.

### Schedule I.

(1) Rice husked and in the husk.

(2) Wheat, *atta*, flour <sup>3</sup>[and *suji*].

(3) Sugar.

<sup>4</sup>[(4) Mustard oil.

*Explanation.*—In this Schedule, "Mustard oil" has the same meaning as in the notification No. 12202D.C.S., dated the 27th September, 1945, as amended by notification No. 213D.C.S., dated the 5th January, 1946.]

### [Schedule IA.

(1) Rice husked and in the husk.

(2) Wheat, *atta*, flour and *suji*.

(3) Sugar.]

<sup>1</sup>Substituted by Notification No. 374D.C.S., dated the 9th January, 1946.

<sup>2</sup>Added by Notification No. 10200D.C.S., dated the 31st July, 1945.

<sup>3</sup>Inserted by Notification No. 6950D.C.S., dated the 10th July, 1944.

<sup>4</sup>Added by Notification No. 214D.C.S., dated the 5th January, 1946.

## [Schedule I B.

- (1) Rice husked and in the husk.
- (2) Wheat, *atta*, flour and *suji*.
- (3) Sugar.
- (4) Salt except rock salt (*Saindhab*.)

## Schedule II.

Essential foodstuff.	Normal quantity.		
	Person of the age of 12 years and over.	Child of the age of 2 years and over and under 12 years.	Child under the age of 2 years.
1. Rice (husked or in the husk), wheat, <i>atta</i> , flour <sup>2</sup> [and <i>suji</i> singly or] in any combination.	8 units ..	4 units ..	<sup>2</sup> [2 units.]
2. Sugar .. ..	8 units ..	8 units ..	8 units.
<sup>3</sup> 3. Mustard oil .. ..	8 units ..	8 units ..	Nil.

*Explanation.*—A unit for the purposes of this Schedule shall have the same value as laid down in Schedule C to the Calcutta Industrial Area Rationing Regulations, 1943.

## [Schedule III.

## Normal quantity.

Essential foodstuff.	Person above the age of 8 years.	Person of the age of 8 years and below.
1. Rice husked and in the husk, wheat, <i>atta</i> and flour singly or in any combination.	16 seers	8 seers.
2. Sugar .. ..	1 seer	1 seer.
3. Salt except rock salt ( <i>Saindhab</i> ).	8 chataks	8 chataks.]

Notification No. 8695 D.C.S., dated the 30th August, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 215).

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 4th September, 1944, in the area specified in the Schedule below:—

## Schedule.

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

<sup>1</sup>Inserted by Notification No. 10200 D.C.S., dated the 31st July, 1945.

<sup>2</sup>Substituted by Notification No. 88211 D.C.S., dated the 2nd September, 1944.

*Notification No. 270D.C.S., dated the 13th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 14th January, 1944, p. 6).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 15th of January, 1944, in the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of the 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 1730D.C.S., dated the 4th March, 1944 (published in the "Calcutta Gazette" of the 4th March, 1944).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 6th March, 1944, in the area specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3721D.C.S., dated the 29th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 141).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 1st day of May, 1944, in the areas specified in the Schedule below:—

#### **The Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah, and (10) Bansberia in the district of Hooghly.

*Notification No. 10222 D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 191).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 6th August, 1945, in the areas specified in the Schedule below:—

### **The Schedule.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing J. L. No. 280 in the C. S. Khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the Lakshinarayan Cotton Mills, Limited,

(b) the Narayangunj Company, Limited,

(c) the Chittaranjan Cotton Mills, Limited,

(d) the Dhakeswari Cotton Mills, No. 2, Limited,

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,

(f) the Dhakeswari Cotton Mills, No. 1, Limited, and

(g) the Bose's Glass Factory,

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906,



2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502 in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

*Notification No. 12890 D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1764).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 5th November, 1945, in the areas specified in the Schedule below:—

#### **The Schedule.**

(1) The municipality of Comilla in the district of Tippera.

(2) So much of mauza Sashangachha bearing jurisdiction list No. 447 as is covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) So much of mauza Dharampore, bearing jurisdiction list No. 227 as is covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 14247 D.C.S., dated the 1st December, 1945 (published in the "Calcutta Gazette" of the 6th December, 1945, Pt. I, p. 2031).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 4th February, 1946, in the area specified in the Schedule below:—

#### **The Schedule.**

Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 1583 D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 11th February, 1946, in the municipality of Chittagong.

*Notification No. 2820 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the said Order shall come into force on the 11th day of March, 1946, in the areas specified in the Schedule below:—

#### **The Schedule.**

(1) The municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the north, east and west by the Pandam Tea Gardens and on the south by the Municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the North by the Municipality of Darjeeling, on the East by Kotwali *Jhora*, on the West by *Kag Jhora* and on the South by the Arya Tea Gardens.

(4) The municipality of Kalimpong in the district of Darjeeling.

(5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

(12) The municipality of Kurseong in the district of Darjeeling.

(13) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(15) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus' School Compound, on the south by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School Compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(16) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Robini Tea Estate and on the east by the Robini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton

Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

*Notification No. 271 D. C. S., dated the 13th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 14th January, 1944, p. 6).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 3 of the Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Special Officers under the Controller of Rationing to grant licences under the said sub-paragraph.

*Notification 2627 D. C. S., dated the 31st March, 1944 (published in the "Calcutta Gazette" of the 6th April, 1944, Pt. I, p. 372).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Controller of Rationing and the Special Officers under the Controller of Rationing to grant permits under the said paragraph.

*Notification No. 2935 F. G. (Pro.), dated the 3rd May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th May, 1944, p. 147).*

In exercise of the power conferred by paragraph 3 of the Essential Foodstuffs Anti-Hoarding Order, 1944, and in partial modification of notification No. 2627 D.C.S., dated 31st March, 1944, the Governor is pleased to authorise the following officer to grant permits under the said paragraph to managers, proprietors or representatives of rice mills for the purpose of bringing rice in the husk into any area in which the said order is in force:—

The Deputy Director of Civil Supplies (Region VII).

*Notification No. 10084 D. C. S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1284).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, to grant permits under the said paragraph.

*Notification No. 1086 D. C. S., dated the 31st January, 1945 (published in the "Calcutta Gazette" of the 15th February, 1945, Pt. I, p. 260).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and in supersession of notification No. 2935 F.G. (Pro.), dated the 3rd May, 1944, the Governor is pleased to authorise the following officers to grant permits under the said paragraph to managers, proprietors or representatives of rice mills for the purpose of bringing rice in the husk into any area in which the said Order is in force, namely:—

- (1) Regional Controller of Procurement <sup>1</sup>[, Region V, with headquarters at Calcutta].
- (2) Deputy Director of Rice Procurement (Rice Mills), Department of Civil Supplies.

---

<sup>1</sup>Substituted by Notification No. 9207 D. C. S., dated the 7th July, 1945.

**Notification No. 5087 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).**

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, to grant permits under the said paragraph.

**Notification No. 9746 D.C.S., dated the 19th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1247).**

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the following officer to grant permits under the said paragraph to persons engaged in any undertaking which involves the purchase, sale or storage for sale of husked rice for the purpose of bringing rice into any area in which the said Order is in force, namely:—

Deputy Director of Rice Procurement (Rice Mills), Department of Civil Supplies.

**Notification No. 10223 D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 192).**

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Dacca,
- (2) the Town Rationing Officer, Narayanguj,
- (3) the Assistant Town Rationing Officers, Dacca, and
- (4) the Assistant Town Rationing Officers, Narayanguj,

to grant permits under the said paragraph within the areas of their respective jurisdictions in the Dacca-Narayanguj Urban Area.

**Explanation.**—In this notification, the Dacca-Narayanguj Urban Area has the same meaning as in the Dacca-Narayanguj Urban Area Rationing Regulations, 1945.

**Notification No. 12696 D. C. S., dated the 19th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1772).**

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Legal Assistant in the office of the Controller of Rationing to grant permits under the said paragraph.

**Notification No. 12891 D. C. S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1765).**

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Town Rationing Officer of Comilla to grant permits under the said paragraph within the Comilla Urban Area.

**Explanation.**—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 1584 D. C. S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Town Rationing Officer of Chittagong to grant permits under the said paragraph within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2829 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the Subdivisional Magistrate, Kalimpong,
- (2) the Subdivisional Magistrate, Kurseong,
- (3) the Town Rationing Officer, Darjeeling,
- (4) the Town Rationing Officer, Kalimpong,
- (5) the Town Rationing Officer, Kurseong,

to grant permits under the said paragraph within the areas of their respective jurisdictions in the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 2628 D.C.S., dated the 31st March, 1944 (published in the "Calcutta Gazette" of the 6th April, 1944, Pt. I, p. 372).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Controller of Rationing and the Special Officers under the Controller of Rationing to grant licences under the said paragraph.

*Notification No. 10085 D. C. S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1284).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, to grant licences under the said paragraph.

*Notification No. 5088 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, to grant licences under the said paragraph.

*Notification No. 10224 D. C. S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Dacca,
- (2) the Town Rationing Officer, Narayanguj,
- (3) the Assistant Town Rationing Officers, Dacca, and
- (4) the Assistant Town Rationing Officers, Narayanguj,

to grant licences under the said paragraph within the areas of their respective jurisdictions in the Dacca-Narayanguj Urban Area.

*Explanation.*—In this notification, the Dacca-Narayanguj Urban Area has the same meaning as in the Dacca-Narayanguj Urban Area Rationing Regulations, 1945.

*Notification No. 12697 D. C. S., dated the 19th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1773).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Legal Assistant in the office of the Controller of Rationing to grant licences under the said paragraph.

*Notification No. 12892 D. C. S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1765).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Town Rationing Officer of Comilla to grant licenses under the said paragraph within the areas of his respective jurisdiction in the Comilla Urban Area.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 1585 D. C. S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Town Rationing Officer of Chittagong to grant licenses under the said paragraph within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2830 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the Subdivisional Magistrate, Kalimpong,
- (2) the Subdivisional Magistrate, Kurseong,

- (3) the Town Rationing Officer, Darjeeling,
- (4) the Town Rationing Officer, Kalimpong,
- (5) the Town Rationing Officer, Kurseong,

to grant licences under the said paragraph within the areas of their respective jurisdictions in the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the “Darjeeling-Kalimpong-Kurseong Urban Area” has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 272 D. C. S., dated the 13th January, 1944 (published in the “Calcutta Gazette, Extraordinary” of the 14th January, 1944, p. 7).*

In exercise of the power conferred by paragraph 5 of the Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt—

- (a) every wholesale dealer selling, transferring or otherwise disposing of any essential foodstuff to another wholesale dealer or to a retail dealer from the provisions of the said Order,
- (b) every retail dealer in respect of any essential foodstuff from the provisions of paragraph 3 of the said Order, and
- (c) every establishment proprietor as defined in the Bengal Rationing Order, 1943, in respect of any essential foodstuff from the provisions of paragraph 3 of the said Order.

*Notification No. 720 D. C. S., dated the 31st January, 1944 (published in the “Calcutta Gazette, Extraordinary” of the 31st January, 1944, p. 41).*

In exercise of the power conferred by paragraph 5 of the Essential Foodstuffs Anti-Hoarding Order, 1944, and in supersession of the Order No. 272D.C.S., dated the 13th January, 1944, as subsequently amended, the Governor is pleased to exempt all appointed wholesalers, all appointed retailers and all appointed establishment proprietors from the provisions of the said Order.

*Explanation.*—In this Order, the expressions “appointed wholesalers”, “appointed retailers” and “appointed establishment proprietors” have the same meanings as in the Bengal Rationing Order, 1943.

*Notification No. 1729D.C.S., dated the 4th March, 1944.*

In exercise of the power conferred by sub-paragraph (1) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to direct that the permit issued under paragraph 3 and the licence issued under paragraph 4 of the said Order shall be in Form A and Form B respectively, specified below:—

#### Form A.

*(Permit to import under paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944.)*

Subject to the provisions of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and the conditions of this permit..... is hereby permitted to move the undermentioned quantities of essential foodstuffs from.....to.....

Description of commodity.	Mds.	Srs.
Rice		
Paddy		

1. This permit shall be valid only to.....and shall cover only rice/paddy produced by the permit-holder or members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars*.

<sup>1</sup>1A. This permit does not authorise the permit-holder to bring any rice/paddy which was not produced by the permit-holder or members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars*.

2. On arrival of the consignment covered by this permit, the permit-holder shall, as soon as he obtains delivery of the consignment, surrender the permit to the authority issuing it <sup>2</sup>[and produce to such authority his Ration Card (and the Ration Cards of the members of his household, if required) for necessary endorsements, and if the quantity of any essential foodstuffs in his possession exceeds the normal quantity specified in Schedule II to the said Order, shall at the same time also take out a licence under paragraph 4 of the said Order].

3. \* \* \* \* \*

*Signature of the Officer issuing the permit.*

*Date*.....

### Form B.

*(Licence under paragraph 4 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, for the possession of essential foodstuff.)*

Subject to the provisions of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and the conditions of this licence..... is authorised to have under his/her control or in his/her possession at .....the undermentioned quantities of essential foodstuffs for the use of him/herself and.....members of his/her household.

Name of commodity.	Mds.	Srs.
--------------------	------	------

1. This licence is subject to the condition that the ration cards issued to the licensee and the aforesaid members of his/her household under the Bengal Rationing Order, 1943, or any regulations made thereunder, shall not be used and shall not be available for lawful use <sup>3</sup>\* \* \* to the extent of the amount of such foodstuffs so held in his/her possession.

2. The licensee shall, at the time of taking delivery of this licence, present his/her ration card and the ration cards of the aforesaid members of his/her household to the officer issuing the licence for necessary endorsements by the Rationing Authority.

*Signature of the officer issuing the licence.*

*Date*.....

<sup>1</sup>Substituted by notification No. 3802D.C.S., dated the 1st May, 1944.

<sup>2</sup>Substituted by notification No. 8933D.C.S., dated the 5th September, 1944.

<sup>3</sup>Omitted by notification No. 8933D.C.S., dated the 5th September, 1944.



**Notification No. 2936 F.G. (Pro.), dated the 3rd May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th May, 1944, p. 147).**

In exercise of the power conferred by sub-paragraph (1) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and in modification of notification No. 1729D.C.S., dated 4th March, 1944, the Governor is pleased to direct that the permit issued to a rice mill under paragraph 3 of the said order for the purpose of bringing rice in the husk into any area in which this order is in force shall not be issued in Form A published under the said notification but shall be issued in Form C specified below:—

**Form C.**

*(Permit to a rice mill to bring paddy under paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944.)*

1. Name of person authorised to bring paddy.....
2. Quantity of paddy to be brought.....
3. District from which the bringing of paddy is permitted.....
4. If to be consigned by rail or steamer—
  - (a) name of station of despatch.....
  - (b) name of station of destination.....
  - (c) name of rice mill to which paddy is to be consigned.....

.....  
Signature.....

<sup>1</sup>[Regional Controller of Procurement, <sup>2</sup>(Region V, with headquarters of Calcutta).]

*Deputy Director of Rice Procurement, Rice Mills, Department of Civil Supplies], 7 Church Lane, Calcutta.*

Certified that.....maunds of paddy have been despatched to the rice mill named in the permit.

.....  
Signature.....

*Station Master.*

Dated.....

*N.B.—(1)* If the holder intends to bring by rail or steamer, he must obtain a separate permit for each station of despatch, and must return it to the issuing authority with the above certificate duly signed by the Station Master.

*(2)* If the holder intends to bring the quantity mentioned in the permit in more than one consignment by road or country boat, he should obtain a "challan" for each consignment from the nearest authorised representative of the Chief Agent of the Provincial Government, who will enter details of each such "challan" on the reverse of this permit. When challans have been obtained up to the full quantity mentioned in the permit, it must be returned by the holder to the issuing authority.

*Details of challans issued.*

Entry No.	Challan No.	Date of issue.	Quantity.	Inserted by—		
				Name.	Address.	Representative of (Chief Agent's name).

<sup>1</sup>Substituted by notification No. 1128D.C.S., dated the 1st February, 1945.

<sup>2</sup>Substituted by notification No. 9208D.C.S., dated the 7th July, 1945.

*Notification No. 2639D.C.S., dated the 31st March, 1944 (published in the "Calcutta Gazette" of the 6th April, 1944, Pt. I, p. 872).*

In exercise of the power conferred by clause (a) of sub-paragraph (2) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to specify the fees mentioned in column 2 of the table below to be the fees leviable in respect of the permits and licences mentioned in the corresponding entries in column 1 of the said table:—

Permits and licences.	Fees.
1	2
(a) for a permit under paragraph 3 of the said Order—	
(i) in respect of rice husked or rice in the husk not exceeding five maunds in weight,	Rs. 2.
(ii) in respect of rice husked or rice in the husk exceeding five maunds in weight,	Rs. 2 for the first five maunds and Rs. 2 for every five maunds or part thereof in excess of the first five maunds.
(b) for a licence under paragraph 4 of the said Order.	Re. 1.

*Notification No. 9747D.C.S., dated the 19th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1247).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and in modification of notification No. 1729D.C.S., dated the 4th March, 1944, the Governor is pleased to direct that the permit issued under paragraph 3 of the said Order to a person engaged in any undertaking which involves the purchase, sale or storage for sale of husked rice for the purpose of bringing rice into any area in which this Order is in force, shall be issued in Form D specified below:—

#### **Form D.**

*(Permit to a person engaged in any undertaking which involves the purchase, sale or storage for sale of husked rice to bring rice under paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944.)*

- (1) Name and address of the person authorised to bring husked rice
- (2) Quantity of husked rice to be brought.....
- (3) District from which the bringing of husked rice is permitted.....
- (4) Name of the place of despatch.....
- (5) Name of the place of destination.....
- (6) Purpose for which the husked rice is to be consigned.....

Signature.....

*Deputy Director of Rice Procurement (Rice Mills),  
Department of Civil Supplies.*

*Notification No. 2630 D.C.S., dated the 31st March, 1944 (published in the "Calcutta Gazette" of the 6th April, 1944, Pt. I, p. 372).*

In exercise of the power conferred by clause (b) of sub-paragraph (2) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to specify that the fees leviable in respect of permits and licences issued under the provisions of the said Order shall be paid in the following manner, namely:—

Such fees shall be paid either by affixing to the application for the said permit or licence, as the case may be, non-judicial stamps to the value of such fees or, in Calcutta, by paying into the Reserve Bank of India and elsewhere by paying either into the Government Treasury or into the local branch of the Imperial Bank of India under the head "L-I—Extraordinary Receipts—Other items—(ii) Non-poolable—Miscellaneous" the amount of such fees.

*Notification No. 5482 D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 725).*

In exercise of the power conferred by clause (b) of sub-paragraph (2) of paragraph 5 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to specify that the fees leviable in respect of permits and licences issued under the provisions of the said Order shall be paid—

- (1) in Calcutta, if such fees do not exceed twenty rupees, to the authority issuing the permit or licence, as the case may be, in non-judicial stamps at the time of taking out the permit or licence, and, if such fees exceed twenty rupees, into the Reserve Bank of India;
- (2) elsewhere, into the Government Treasury or into the local branch of the Imperial Bank of India under the head "L-I—Extraordinary Receipts—Other items—(ii) Non-poolable—Miscellaneous".

II. Notification No. 2630 D.C.S., dated the 31st March, 1944, is hereby cancelled.

*Notification No. 3723 D.C.S., dated the 29th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 142).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) The Controller of Rationing, Calcutta,
- (2) Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Khardah (24-Parganas),
- (3) Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Bhadreswar (Hooghly),
- (4) Special Officer, Sub-area Organisation,
- (5) Deputy Controller of Rationing (Employers' Shops),
- (6) Special Officer, Rationing, Khardah (24-Parganas),
- (7) Special Officer, Rationing, Bhadreswar (Hooghly),
- (8) Assistant Controllers of Rationing,
- (9) Chief Inspectors, Deputy Chief Inspectors, Inspectors, Sub-Inspectors under the Controller of Rationing, and
- (10) Rationing Officers,

to exercise the powers referred to in the said paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah,

(8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah, and (10) Bansberia in the district of Hooghly.

*Notification No. 3724D.C.S., dated the 29th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 142).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) The Controller of Rationing, Calcutta,
- (2) Special Officer, Sub-area Organisation,
- (3) Deputy Controller of Rationing (Establishments),
- (4) Deputy Controller of Rationing (Employers' Shops),
- (5) Special Officers under the Controller of Rationing,
- (6) Assistant Controllers of Rationing,
- (7) Chief Inspectors, Deputy Chief Inspectors, Inspectors, Sub-Inspectors under the Controller of Rationing, and
- (8) Rationing Officers,

to exercise the powers referred to in the said paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 5469D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 725).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Deputy Controller of Rationing, Sub-area Organisation, to exercise the powers referred to in the said paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings

north of the south edge of Clyde Row and Strand Road to the river bank; (2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908; (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; (4) the municipalities of Howrah and Bally-Belur in the district of Howrah; and (5) the municipality of Budge Budge in the district of 24-Parganas.

*Notification No. 8700 D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 216).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-Area Organisation,
- (3) the Deputy Controller of Rationing (Establishments),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Special Officer under the Controller of Rationing,
- (6) the Assistant Controllers of Rationing,
- (7) the Chief Inspectors, Deputy Chief Inspectors, Inspectors and Sub Inspectors under the Controller of Rationing, and
- (8) the Rationing Officers,

to exercise the powers referred to in the said paragraph in respect of the area specified in the Schedule below:—

#### **Schedule.**

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 10086 D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1284).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, to exercise the power referred to in the said paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5089 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the Director of Rationing in the Directorate-General of Food, Department of Civil Supplies, Bengal, to exercise the powers referred to in the said paragraph in respect of the "Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and the "Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

**Notification No. 10225 D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 192).**

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise—

- (1) the District Magistrate of Dacca,
- (2) the Subdivisional Magistrate, Narayanganj,
- (3) the Town Rationing Officer, Dacca,
- (4) the Town Rationing Officer, Narayanganj,
- (5) the Assistant Town Rationing Officers, Dacca,
- (6) the Assistant Town Rationing Officers, Narayanganj,
- (7) the Assistant Rationing Officers, Dacca,
- (8) the Assistant Rationing Officers, Narayanganj,
- (9) the Inspectors of Rationing, Dacca,
- (10) the Inspectors of Rationing, Narayanganj,
- (11) the Sub-Inspectors of Rationing, Dacca, and
- (12) the Sub-Inspectors of Rationing, Narayanganj,

to exercise the powers referred to in the said paragraph within their respective jurisdictions in the Dacca-Narayanganj Urban Area.

**Explanation.**—In this Order, the Dacca-Narayanganj Urban Area has the same meaning as in the Dacca-Narayanganj Urban Area Rationing Regulations, 1945.

**Notification No. 12893 D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1763).**

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the powers referred to in the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers.	Areas.
1	2
The District Magistrate of Tippera and the Town Rationing Officer of Comilla.	The Comilla Urban Area.
The Assistant Rationing Officers, Comilla, the Inspectors of Rationing, Comilla, and the Sub-Inspectors of Rationing, Comilla.	The areas of their respective jurisdictions within the Comilla Urban Area.

**Explanation.**—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

**Notification No. 1586 D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).**

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased

to authorise the officers specified in column 1 of the table below to exercise the powers referred to in the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

## Officers.

## Areas.

The District Magistrate of Chittagong and the Town Rationing Officer of Chittagong.

The Chittagong Urban Area.

The Assistant Rationing Officers, Chittagong, the Inspectors of Rationing, Chittagong, and the Sub-Inspectors of Rationing, Chittagong.

The areas of their respective jurisdictions within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2831D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by paragraph 6 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the powers referred to in the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

## Officers.

## Areas.

1

The Deputy Commissioner of Darjeeling.

The Darjeeling Kalimpong-Kurseong Urban Area.

The Subdivisional Magistrates of Kalimpong and Kurseong, the Town Rationing Officers of Darjeeling, Kalimpong and Kurseong, the Inspectors of Rationing, Darjeeling, Kalimpong and Kurseong, and Sub-Inspectors of Rationing, Darjeeling, Kalimpong and Kurseong.

The areas of their respective jurisdictions within the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 1731D.C.S., dated the 4th March, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th March, 1944).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors arriving in the Calcutta Industrial Area by rail or steamer who have

in their possession as part of their personal luggage, for personal consumption during their stay in such area, any quantity of any essential foodstuff not exceeding one-fourth of the normal quantity of such foodstuffs specified in Schedule II to the said Order.

*Explanation.*—In this notification, the Calcutta Industrial Area has the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943.

*Notification No. 3722D.C.S., dated the 29th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 141).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors arriving in the Calcutta Industrial (Extended) Area by rail or steamer who have in their possession as part of their personal luggage, for personal consumption during their stay in such area, any quantity of any essential foodstuff not exceeding one-fourth of the normal quantity of such foodstuffs in Schedule II of the said Order.

*Explanation.*—In this notification the Calcutta Industrial (Extended) Area has the same meaning as in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5114D.C.S., dated the 16th May, 1944 (published in the "Calcutta Gazette" of the 18th May, 1944, Pt. I, p. 647).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt all appointed wholesalers, all appointed retailers and all appointed establishment proprietors from the provisions of paragraph 4 of the said Order.

*Explanation.*—In this Order, the expressions "appointed wholesalers", "appointed retailers" and "appointed establishment proprietors" have the same meanings as in the Bengal Rationing Order, 1943.

*Notification No. 11962D.C.S., dated the 18th December, 1944 (published in the "Calcutta Gazette" of the 21st December, 1944, Pt. I, p. 1516).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 4 of the said Order—

- (a) every person who has in his possession paddy produced by himself or by the members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* from lands held by such person in the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area, and
- (b) every person who has in his possession any paddy produced by himself by cultivating the land of another person in the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area as an *adhiar*, *bargadar* or *bhagdar*,

subject to the condition that the ration card of such person and the ration cards of the members of his household have been cancelled under paragraph 10A of the Bengal Rationing Order, 1943, on application made in that behalf by such person to the Rationing Officer by whom such ration cards were issued and a certificate has been obtained by such person from such officers on such cancellation in the form annexed to this Order.



**Explanation.—In this Order—**

- (i) "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively,
- (ii) "paddy" includes rice husked from the paddy referred to in clause (a) or clause (b), as the case may be.

**Form of Certificate for cancellation of Ration Cards.**

*(Under Order No. 11962D.C.S., dated the 18th December, 1944.)*

Certified that.....of village.  
living within the Municipality of.....produced the  
following ration cards for cancellation and that the coupons on the ration  
cards have been duly cancelled under paragraph 10A of the Bengal Rationing  
Order, 1943, in respect of the weeks.....to the extent of.....maunds  
.....seers of rice.

He has been permitted to possess.....of paddy for seedling purposes.

The ration weeks.....remain to be cancelled. Ration Cards, after  
renewal, shall be produced before me by the holder of this certificate for  
necessary cancellation.

**Ration Cards.**

Serial No.	Name of Holder.	Area Index.	Folio.
------------	-----------------	-------------	--------

*Rationing Officer.*

*Date.....*

*Notification No. 6692D.C.S., dated the 7th May, 1945 (published in the  
"Calcutta Gazette" of the 10th May, 1945, Pt. I, p. 788).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, and in supersession of this department notification No. 5114D.C.S., dated the 16th May, 1944, the Governor is pleased to exempt all appointed wholesalers, all appointed retailers and all appointed establishment proprietors, having in their possession more than the normal quantity of any essential foodstuff, from the provisions of paragraph 4 of the said Order if such essential foodstuff has been lawfully obtained by them on ration documents.

**Explanation.**—In this Order, the expressions "appointed wholesalers", "appointed retailers", "appointed establishment proprietors" and "ration documents" have the same meanings as in the Bengal Rationing Order, 1943.

*Notification No. 10229D.C.S., dated the 1st August, 1945 (published in the  
"Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 192).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors visiting the Dacca-Narayangunj Urban Area and bringing into such area by land or by water as part of their personal luggage for personal

consumption any quantity of any essential foodstuffs not exceeding one-fourth of the normal quantity of such foodstuff specified in Schedule III to the said Order.

*Explanation.*—In this notification, the Dacca-Narayangunj Urban Area has the same meaning as in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

*Notification No. 12894 D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1765).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors visiting the Comilla Urban Area and bringing into such area by land or by water as part of their personal luggage for personal consumption any quantity of any essential foodstuffs not exceeding one-fourth of the normal quantity of such foodstuff specified in Schedule III to the said Order.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 15307 D.C.S., dated the 21st December, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th December, 1945, p. 615).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 4 of the said Order—

- (a) every person who has in his possession paddy produced by himself or by the members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* from lands held by such person in the Dacca-Narayangunj Urban Area, and
- (b) every person who has in his possession any paddy produced by himself by cultivating the land of another person in the Dacca-Narayangunj Urban Area as an *adhiar*, *bargadar* or *bhagdar*,

subject to the condition that the Ration Card of such person and the Ration Cards of the members of his household have been cancelled under paragraph 10A of the Bengal Rationing Order, 1943, on application made in that behalf by such person to the Rationing Officer by whom such Ration Cards were issued and a certificate has been obtained by such person from such officer on such cancellation in the form annexed to this Order.

*Explanation.*—In this Order—

- (i) "the Dacca-Narayangunj Urban Area" has the same meaning as in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945,
- (ii) "paddy" includes rice husked from the paddy referred to in clause (a) or clause (b) as the case may be.

#### **Form of Certificate for cancellation of Ration Cards.**

(Under Order No. 15307 D.C.S., dated the 21st December 1945.)

Certified that.....of village.....living within the police-station of.....produced the following Ration Cards for cancellation and that the coupons on the Ration Cards have been duly

cancelled under paragraph 10A of the Bengal Rationing Order, 1943, in respect of the weeks.....to the extent of.....maunds .....seers of rice.

He has been permitted to possess.....of paddy for seedling purposes.

The ration weeks.....remain to be cancelled. Ration Cards, after renewal, shall be produced before me by the holder of this certificate for necessary cancellation.

### *Ration Cards.*

Serial No.	Name of holder.	Area Index.	Folio.
------------	-----------------	-------------	--------

*Rationing Officer.*

**Notification No. 15309D.C.S., dated the 21st December, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th December, 1945, p. 615).**

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 4 of the said Order—

- (a) every person who has in his possession paddy produced by himself or by the members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* from lands held by such person in the Comilla Urban Area, and
- (b) every person who has in his possession any paddy produced by himself by cultivating the land of another person in the Comilla Urban Area as an *adhiar*, *bargadar* or *bhagdar*,

subject to the condition that the Ration Card of such person and the Ration Cards of the members of his household have been cancelled under paragraph 10A of the Bengal Rationing Order, 1943, on application made in that behalf by such person to the Rationing Officer by whom such Ration Cards were issued and a certificate has been obtained by such person from such officer on such cancellation in the form annexed to this Order.

**Explanation.**—In this Order—

- (i) "the Comilla Urban Area" has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945,
- (ii) "paddy" includes rice husked from the paddy referred to in clause (a) or clause (b) as the case may be.

### **Form of Certificate for cancellation of Ration Cards.**

(Under Order No. 15309D.C.S., dated the 21st December, 1945.)

Certified that.....of village.....living within the police-station of.....produced the following Ration Cards for cancellation and that the coupons on the Ration Cards have been duly cancelled under paragraph 10A of the Bengal Rationing Order, 1943, in respect of the weeks.....to the extent of.....maunds.....seers of rice.

He has been permitted to possess.....of paddy for seedling purposes.

The ration weeks.....remain to be cancelled. Ration Cards, after renewal, shall be produced before me by the holder of this certificate for necessary cancellation.

*Ration Cards.*

Serial No.	Name of holder.	Area Index.	Folio.
------------	-----------------	-------------	--------

*Rationing Officer.*

*Notification No. 217D.C.S., dated the 5th January, 1946 (published in the "Calcutta Gazette" of the 10th January, 1946, Pt. I, p. 43).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt all appointed wholesalers, all appointed mustard oil retailers and all appointed establishment proprietors having in their possession more than the normal quantity of mustard oil from the provisions of paragraph 4 of the said Order if such mustard oil has been lawfully obtained by them on ration documents.

*Explanation.*—In this Order, the expressions "appointed wholesalers", "appointed establishment proprietors" and "ration documents" have the same meanings as in the Bengal Rationing Order, 1943, and the expression "appointed mustard oil retailers" has the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943.

*Notification No. 1243D.C.S., dated the 24th January, 1946 (published in the "Calcutta Gazette" of the 7th February, 1946, Pt. I, p. 297).*

In exercise of the powers conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944 (No. 1728D.C.S., dated the 4th March, 1944), the Governor is pleased to exempt Lieut.-Col. Lalit Bikram Shah of Nepal, from the provision of paragraphs 3 and 4 of the said Order and to permit him to bring the following foodstuff for consumption by one of the daughters of His Highness Maharaja Joodha Shumshere of Nepal:—

- (1) Rice—4 maunds.
- (2) Sugar—10 seers.
- (3) Mustard oil—30 seers.
- (4) Dal— $\frac{1}{2}$  maund.
- (5) Flattened rice— $\frac{1}{2}$  maund:

Provided that the said daughter of His Highness Maharaja Joodha Shumshere of Nepal shall not draw any ration of rice, sugar and mustard oil until such time as the above quantity would have been exhausted had it been issued as rations under the terms of the Calcutta Industrial Area Rationing Regulations, 1943.

*Notification No. 1587D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).*

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors visiting the Chittagong Urban Area and bringing into such area by land or by water as part of their personal luggage for personal consumption any quantity of any essential foodstuff not exceeding one-fourth of the normal quantity of such foodstuffs specified in Schedule III to the said Order.

**Explanation.**—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

**Notification No. 2828 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).**

In exercise of the powers conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt—

- (a) from the provisions of paragraph 3 of the said Order all persons who have grown in the district of Darjeeling hill-rice of superior grade as determined by the Director of Rationing or any officer authorised by him in his behalf in respect of their bringing into the Darjeeling-Kalimpong-Kurseong Urban Area such rice for the purpose of selling to holders of Ration Cards in such area against permits issued by the Subdivisional Magistrate of Kalimpong or Kurseong or the Town Rationing Officer of Darjeeling; and
- (b) from the provisions of paragraph 4 of the said Order all such persons in respect of having in their possession such rice for the purpose referred to in clause (a).

**Explanation.**—In this notification, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946, and "Ration Card" has the same meaning as is referred to in the Bengal Rationing Order, 1943.

**Notification No. 2832 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).**

In exercise of the power conferred by paragraph 9 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, the Governor is pleased to exempt from the provisions of paragraph 3 of the said Order *bona fide* visitors visiting the Darjeeling-Kalimpong-Kurseong Urban Area and bringing into such area by land or by water as part of their personal luggage for personal consumption any quantity of any essential foodstuffs not exceeding one-fourth of the normal quantity of such foodstuffs specified in Schedule III to the said Order.

**Explanation.**—In this Order, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

**Notification No. 8417 D.C.S., dated the 16th June, 1945 (published in the "Calcutta Gazette" of the 28th June, 1945, Pt. I, p. 1096).**

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### **The Bengal Essential Foodstuffs (Movement Control) Order, 1945.**

1. (1) This Order may be called the Bengal Essential Foodstuffs (Movement Control) Order, 1945.

(2) It extends to the whole of Bengal.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (a) "Director-General" means the Director-General, Food, Department of Civil Supplies, Bengal, and includes any person authorised by the said Director-General, Food, to perform all or any of the functions of the Director-General under this Order;
- (b) "essential foodstuff" means any of the foodstuffs specified in Schedule I to this Order;
- (c) "export" means to move or cause to be moved out of the Province of Bengal;
- (d) "form" means a form as set forth in Schedule II to this Order.
- <sup>1</sup>[(e) "import" means to bring or cause to be brought into the Province of Bengal.]

<sup>2</sup>[3. No person shall—

- (a) export any essential foodstuff except under and in accordance with an export permit issued by the Director-General under the provisions of paragraph 5 of the Order, or
- (b) import any essential foodstuff specified in this behalf by notification in the *Official Gazette* by the Director-General except under and in accordance with an import permit issued by the Director-General under the provisions of paragraph 5A of this Order:

Provided that nothing in this paragraph shall apply to the export or import of essential foodstuffs—

- (i) not exceeding half a maund in weight in the aggregate by a *bona fide* traveller as part of his personal luggage, and
- (ii) by or on behalf of the Crown or for His Majesty's forces:

Provided further that the Director-General may, by notification in the *Official Gazette*, exempt from the provisions of this paragraph the export or import of such essential foodstuffs to such extent, from such areas in Bengal to such areas outside Bengal or from such areas outside Bengal to such areas inside Bengal, as the case may be, in such manner and for such period as may be specified in the notification.]

4. (1) Applications for export permits under this Order shall be made in writing to the Director-General in Form A and shall contain full and true information of the particulars mentioned in the said form.

<sup>1</sup>[(1a) Applications for import permits under this Order shall be made in writing to the Director-General in Form AA and shall contain full and true information of the particulars mentioned in the said form.]

(2) A person who has made an application under sub-paragraph (1) for an export permit <sup>1</sup>[or under sub-paragraph (1a) for an import permit] shall furnish to the Director-General full and true information on such other matters as the Director-General may for the purposes of this Order require.

5. (1) The Director-General may, on application made to him under <sup>1</sup>[sub-paragraph (1) of paragraph 4] of this order, issue to any person an export permit in Form B authorising such person to export such essential foodstuff in such quantity, from such place in Bengal, to such person and to such place outside Bengal, in such manner and within such period as may be specified in the export permit.

<sup>1</sup>Inserted by notification No. 46 D. C. S., dated the 2nd January, 1946.

<sup>2</sup>Substituted, *ibid*.

(2) The person to whom an export permit is issued under sub-paragraph (1) shall return the export permit to the authority by which it was issued within three days of the expiry of the period for which such export permit is valid.

(3) Where any essential foodstuff has been exported in accordance with an export permit issued under this Order, the person to whom such export permit has been issued shall, at the time of returning the permit under sub-paragraph (2) to the authority by which it was issued, submit to such authority a true statement of the quantity of such essential foodstuff despatched and the date of despatch, duly certified by the station master, in the case where such essential foodstuff has been despatched from any railway or steamer station, and by the Collector of Customs, in the case where such essential foodstuff has been exported by sea.

(4) The Director-General may at any time cancel an export permit issued by him under this paragraph, and on such cancellation the person to whom such export permit was issued shall forthwith return it to the Director-General.

15A. (1) The Director-General may, on application made to him under sub-paragraph (1A) of paragraph 4 of this Order, issue to any person an import permit in Form C authorising such person to import such essential foodstuff, in such quantity, from such person and from such place outside Bengal to such place inside Bengal, in such manner and within such period as may be specified in the import permit.

(2) The person to whom an import permit is issued under sub-paragraph (1) shall return the import permit to the authority by which it was issued within three days of the expiry of the period for which such permit is valid.

(3) Where any essential foodstuff has been imported in accordance with the import permit issued under this Order, the person to whom such import permit has been issued shall, at the time of returning the permit under sub-paragraph (2) to the authority by which it was issued, submit to such authority a true statement of the quantity of such essential foodstuff imported and the date of receipt duly certified by the Station Master, in the case where such essential foodstuff has been imported by railway or river steamer and by the Collector of Customs, in the case where such essential foodstuff has been imported by sea.

(4) The Director-General may at any time cancel an import licence issued by him under this paragraph, and on such cancellation the person to whom such import permit was issued shall forthwith return the permit to the Director-General.

6. If any person contravenes the provisions of paragraph 3 of this Order, then without prejudice to any other punishment to which he may be liable, the Court trying the offence shall order that any stocks of essential foodstuffs together with packages and coverings thereof in respect of which the Court is satisfied that the contravention has occurred shall be forfeited to His Majesty unless for reasons to be recorded in writing the Court is of opinion that the Order should not be made in respect of the whole, or as the case may be, a part of the property.

**Schedule I.**

[See paragraph 2 (b).]

1. Sugar.
2. Gur.
3. Salt.
4. Mustard seeds.
5. Mustard oil.
6. Groundnuts.
7. Groundnut oil.

**Schedule II.****FORM A.**

[See paragraph 4 (I).]

*Application for export permit under paragraph 4 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945.*

1. Name and address of consignor.....
2. Name of essential foodstuff in respect of which export permit is required.....
3. Quantity proposed to be exported.....
4. Name of the person in whose custody the essential foodstuff is now lying.....
5. Address of the place where the essential foodstuff is now lying.....
6. Place from where to be despatched.....
7. Method of transport.....
8. Name and address of the consignee.....
9. Station to which to be despatched (with name of railway or steamer service on which situated, district and province or State).....
10. Dates between which despatch is proposed to be made.....

*Signature of the applicant.....*

**Date.**



**Form AA.**

[See paragraph 4 (1a).]

*Application for import permit under paragraph 4 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945.*

- (1) Name and address of the importer.
- (2) Name of essential foodstuff in respect of which import permit is required.....
- (3) Quantity proposed to be imported....
- (4) Place from where to be imported....
- (5) Method of transport.....
- (6) Name and address of the consignor.
- (7) Station to which to be imported (with names of railway or steamer service on which situated and district.....
- (8) Dates between which despatch is proposed to be made.....

Date.....

Signature of Applicant.

**Form B.**

[See paragraph 5 (1).]

*Export permit under paragraph 5 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945.*

Under paragraph 5 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945,—

I hereby authorise.....

(name) of.....  
 (address) to export.....  
 (quantity) of.....  
 (name of essential foodstuff) from.....  
 (station) to.....  
 (name of consignee) of.....  
 (address of consignee) at.....  
 (station to which to be despatched) in.....  
 (district and province or State) by.....  
 (method of transport).

2. This export permit is valid till the.....  
(date).

3. It shall be returned to me within three days after the date of expiry of the period for which it is valid and shall at the time of being so returned be accompanied by a true statement of the quantity (if any) of the essential foodstuff in respect of which it has been issued, despatched and the date of despatch duly certified by.....

Signature of the Issuing Authority.

Date.....

Designation.....

**Form C.**

[See paragraph 5A(i).]

**Import permit under paragraph 5A of the Bengal Essential Foodstuffs (Movement Control) Order, 1945.**

Under paragraph 5A of the Bengal Essential Foodstuffs (Movement Control) Order, 1945, I hereby authorise.....(name) of.....(address) to import (quantity) .....of.....(name of essential foodstuff) from .....(place) to.....(station), within the district of .....(name of district).

2. This import permit is valid till the.....(date).

3. It shall be returned to me within three days after the date of expiry of the period for which it is valid and shall at the time of being so returned be accompanied by a true statement of the quantity (if any) of the essential foodstuff in respect of which it has been issued imported and the date of receipt duly certified by.....

*Signature of the Issuing Authority.*

*Designation.....*

*Date.....*

*Notification No. IV-A-21/45—2457-O. C., dated the 19th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1925.)*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945, I hereby authorise the officers mentioned in column 1 below to perform the functions of the Director-General under paragraph 5 of the said Order in respect of the essential foodstuffs mentioned against each such officer in column 2 below :—

Officer authorised.	Essential foodstuffs.
1	2
1. The Director of Supply, Department of Civil Supplies, Bengal.	All essential foodstuffs.
2. Deputy Directors of Supply, Department of Civil Supplies, Bengal.	Essential foodstuff of which they are respectively in charge.

*Notification No. IV-A-2/45, dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the powers conferred by clause (b) of paragraph 3 of the Bengal Essential Foodstuffs (Movement Control) Order, 1945, I hereby specify salt to be an essential foodstuff for the purpose of the said clause.

**Notification No. 1696(b) D. C. S., dated the 16th April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 19th April, 1943, p. 65).**

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Food and Fuel Distribution Inquiries Order, 1943.

(2) It shall apply in the first instance to the Calcutta Region as defined in Schedule I of this Order.

(3) The Provincial Government may, by notification in the *Official Gazette*, direct that this Order shall come into operation in such other area or areas on such date or dates as may be specified in the notification.

2. In this Order,—

- (a) "messing group" means a group of persons sharing a common mess, but does not include a residential or a catering establishment as defined in clauses (c) and (d) respectively of this paragraph;
- (b) "head of the messing group" means where the messing group is a family, the head of the family, and otherwise the person managing the mess or responsible for providing the members of the mess with food;
- (c) "residential establishment" means an establishment which provides residential accommodation and cooked food to boarders and includes boarding schools, boarding houses, residential hotels, hostels, hospitals, nursing homes, orphanages and asylums;
- (d) "catering establishment" means an establishment which provides cooked food whether for a price or not to persons not resident therein and includes restaurants, eating houses, canteens and establishments for charitable distribution of cooked food;
- (e) "adult" means a person above the age of twelve years;
- (f) "child" means a person who is not under the age of two years and is not above the age of twelve years;
- (g) "infant" means a person under the age of two years;
- (h) "Inquiry Officer" means a paid member of the Wardens' branch of the Air Raid Precautions Service constituted under the Air Raid Precautions Services Ordinance, 1941; and includes any person authorised by the Provincial Government to collect the information referred to in paragraph 3.

3. Every person who is an adult shall on demand being made either orally or in writing by an Inquiry Officer furnish to such officer forthwith or within such period as may be fixed in this behalf by such officer full and true information on the following matters and on such other matters as may be incidental or explanatory thereto:—

- (a) the name, age, sex and occupation of the head of the messing group to which he belongs;
- (b) the number of men and women who are adults, the number of children and the number of infants in the messing group including servants living in the premises;

(c) the following details about such members of the messing group as may be employed:—

- (i) name,
  - (ii) whether an adult or not,
  - (iii) sex,
  - (iv) occupation,
  - (v) place of employment,
  - (vi) name of employer,
  - (vii) particulars of his dependants including servants living in the premises,
  - (viii) whether he wishes to receive supply of food or fuel for himself and his dependants from a shop managed by his employer and, if so, the name and location of such shop;
- (d) the article of food-grain which is predominantly used by the messing group;
- (e) the arrangements for the lighting of the premises or rooms occupied by the messing group and the number of occupied rooms without electric lights;
- (f) the article of fuel which is commonly used by the messing group.

4. (1) On receipt of the information referred to in paragraph 3, the Inquiry Officer shall verify the information by such inquiries as he may consider it necessary to make, and shall then compile a return in the form set out in Schedule II to this Order, sign it and hand over a true copy of the return to the head of the messing group or such other member of it as may be available.

(2) The Inquiry Officer shall thereafter forward the return to the Director of Civil Supplies, Bengal, or to such other officer as may be specified in this behalf by the said Director.

(3) For the purposes of sub-paragraph (1) an Inquiry Officer may at any time after sunrise and before sunset enter upon and inspect any premises:

Provided that in entering upon and inspecting any premises the Inquiry Officer shall have due regard to the social and religious customs of the persons occupying the premises.

### Schedule I.

The Calcutta Region is the area comprised of the following:—

- (1) "Calcutta" as defined in clause (17) of section 3 of the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank;
- (2) the municipalities of Naihati, Bhatpara, Garulia, North Barrackpore, South Barrackpore, Titagarh, Khardah, Panihati, Kamarhati, North Dum Dum, South Dum Dum, Dum Dum, Baranagore, Tollygunge, Garden Reach and Budge Budge in the district of the 24-Parganas, the municipalities of Howrah and Bally in the district of Howrah and the municipalities of Bhadreswar, Champdani, Raidyabati, Serampore, Rishra-Konnagar, Kotrung and Uttarpara in the district of Hooghly;

(3) that part of the South Suburban Municipality in the district of 24-Parganas which is included within the following boundaries—

*North*—The northern boundary of the South Suburban Municipality,

*East*—Tolly's Nulla,

*West*—Becharam Chatterji Road, Maharani Indira Devi Road and Banamali Naskar Road,

*South*—Biren Roy Road;

(4) the areas of the following unions constituted under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), in the district of Howrah, namely:—

(a) Bally union within the police-station Bally,

(b) Lillooah union within the police-station Bally,

(c) Santragachi union within the police-station Jagacha,

(d) Jagacha union within the police-station Jagacha;

(5) the area of the following mauza in the district of Howrah—

Royal Botanical Gardens, jurisdiction list No. 4, within the police-station Shibpore;

(6) the Barrackpore Cantonment in the district of the 24-Parganas.

### Schedule II.

#### Form of Return.

No.

District.....Sub-Area.....Warden Post.....Sector.....

Street.....Premises No.....

Head of the Group.....

Name.....Occupation.....

Employer and place of employment.....

Number of persons in the Group—

1. Adults— A. Food-grains predominantly used—Rice/Atta.

Men—  
Women—

2. Children— B. Coke—Whether regularly used as fuel—Yes/  
No.

3. Infants— C. Lighting—Number of occupied rooms without  
electricity.

*Signature of Inquiry Officer.*

Notification No. 1697(b) D. C. S., dated the 16th April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 19th April, 1943, p. 68).

In exercise of the powers conferred by clause (e) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Food and Fuel Retail Trade Returns Order, 1943.

(2) It shall apply in the first instance only to the Calcutta Region as defined in Schedule I to this Order.

(3) The Provincial Government may, by notification in the *Official Gazette*, direct that this Order shall come into operation in such other area or areas on such date or dates as may be specified in the notification.

2. In this Order,—

- (a) an “article of food” means one of the commodities specified in column 1 of Schedule II to this Order;
- (b) an “article of fuel” means one of the commodities specified in column 2 of Schedule III to this Order;
- (c) “sale in retail quantities” in respect of each article of food or article of fuel means sale in any one transaction in quantities not exceeding those respectively specified against the article in question in column 2 of Schedule II or of Schedule III to this Order as the case may be;
- (d) “Authorised Officer” means any person authorised by the Provincial Government to collect information and submit returns in accordance with the provisions of paragraphs 3 and 4.

3. Every person carrying on, or employed in connection with, any undertaking involving the sale of any article of food or any article of fuel in retail quantities shall on demand being made by an Authorised Officer furnish to such officer forthwith, or within such period of time as may be fixed in this behalf by such officer, full and true information on the following matters relating to the undertaking—

- (a) the name by which the undertaking or shop is known,
- (b) the name of the proprietor or proprietors of the undertaking and the residential address of such proprietor or proprietors,
- (c) whether the shop or the undertaking is registered under the Bengal Finance (Sales Tax) Act, 1941, and, if so, its registration number,
- (d) the annual turnover of the undertaking or shop, if not so registered,
- (e) the articles of food and the articles of fuel which are sold in retail quantities by the shop or the undertaking,
- (f) the date from which business in each such commodity was started,
- (g) the name and address of the dealer or firm from whom each such commodity is usually purchased.

4. (1) On receipt of the information referred to in paragraph 3 the Authorised Officer shall compile a return in the form set out in Schedule IV to this Order and shall read it over and explain it to the person furnishing such information, who shall thereupon sign, or affix his thumb-impression to, the form in acknowledgment of the correctness of the statements contained therein.

(2) The Authorised Officer shall thereafter forward the return to the Director of Civil Supplies, Bengal, or to such other officer as may be specified in this behalf by the said Director.

#### Schedule I.

The Calcutta Region is the area comprising of the following:—

- (1) “Calcutta” as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

- (2) the municipalities of Naihati, Bhatpara, Garulia, North Barrackpore, South Barrackpore, Titagarh, Khardah, Panihati, Kamarhati, North Dum Dum, South Dum Dum, Dum Dum, Baranagore, Tollygunge, Garden Reach and Budge Budge in the district of the 24-Parganas, the municipalities of Howrah and Bally in the district of Howrah, and the municipalities of Bhadreswar, Champdani, Baidyabati, Serampore, Rishra-Konnagar, Kotrung and Uttarpara in the district of Hooghly;
- (3) that part of the South Suburban Municipality in the district of the 24-Parganas which is included within the following boundaries:—
- North*—The northern boundary of the South Suburban Municipality,  
*East*—Tolly's Nulla.  
*West*—Becharam Chatterji Road, Maharani Indira Devi Road and Banamali Naskar Road,  
*South*—Biren Roy Road;
- (4) the areas of the following unions constituted under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), in the district of Howrah, namely—
- (a) Bally union within the police-station Bally,  
 (b) Lillooah union within the police-station Bally,  
 (c) Santragachi union within the police-station Jagacha,  
 (d) Jagacha union within the police-station Jagacha;
- (5) the area of the following mauza in the district of Howrah:—  
 Royal Botanical Gardens, jurisdiction list No. 4, within the police-station Shibpore;
- (6) the Barrackpore Cantonment in the district of the 24-Parganas.

### Schedule II.

#### Articles of food.

1	2
Commodity	.. Quantity referred to in clause (c) of paragraph 2.
Rice	.. 20 maunds.
Atta	.. 20 maunds.
Flour	.. 20 maunds.
Pulses	.. 20 maunds.
Sugar	.. One bag of 2 maunds 30 seers.
Salt	.. One maund.
Mustard oil	.. One tin of 17½ seers.

### Schedule III.

#### Articles of fuel.

1	2
Commodity	.. Quantity referred to in clause (c) of paragraph 2
Coke	.. 16 maunds.
Kerosene oil	.. One tin of 4 gallons.

**Schedule IV.***Form of Return.**Return by retail shop.*

1. District.....Sub-Area/Thana.....  
Warden Post/Union.....Sector/Mauza.
2. Name of shop.....
3. Address of shop.....
4. Name of owner.....
5. Residential address of owner.....
6. Registration Number (if any) under the Bengal Finance (Sales Tax) Act, 1941.....
7. Annual Turnover (if not so registered) Rs.....

Commodities sold.	Date when business in the commodity was started.	Name and address of the dealer by whom supplied.
-------------------	--	--

*Signature of the Authorised Officer.**Designation.....**Date.....*

*Signature of retail trader or other person furnishing information.*

*Notification No. 2076(a) D. C. S., dated the 28th April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 30th April, 1943, p. 75).*

In exercise of the power conferred by clause (d) of paragraph 2 of the Bengal Food and Fuel Retail Trade Returns Order, 1943, the Governor is pleased to authorise the following officers to exercise the functions of an Authorised Officer under paragraphs 3 and 4 of the said Order in the Calcutta Region as defined in Schedule I to the said Order, namely:—

- (a) All Inspectors of Civil Supplies;
- (b) All Superintendents of markets owned or managed by Government, a municipality, a Cantonment Board or the Calcutta Corporation;
- (c) All paid members of the Wardens, Branch of the Air Raids Precaution Service as constituted by the Air Raid Precautions Services Ordinance, 1941.

*Notification No. 1384 Agri., dated the 29th April, 1944 (published in the "Calcutta Gazette" of the 4th May, 1944, Pt. I, p. 576).*

In exercise of the powers conferred by clauses (b) and (c) of sub-rule (1) of rule 80B of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**The Bengal Food Crops Production Control Order, 1944.**

1. (1) This Order may be called the Bengal Food Crops Production Control Order, 1944.



(2) It shall come into force in such areas and on such dates as the Provincial Government may, by notification in the *Official Gazette*, appoint.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) “agricultural season” means the agricultural season in respect of the crop included in the Schedule to this Order which in the opinion of the Competent Authority may next be grown upon the waste or arable land, as the case may be;

(b) “Competent Authority” means an officer appointed as such by the Provincial Government for all or any of the purposes of this Order for any area in which this Order is in force.

3. (1) As soon as may be after the commencement of this Order every Competent Authority shall prepare a list showing therein a description of all waste lands in each village or local area within the area under its authority and shall cause such list to be published in some conspicuous part of such village or local area. A copy of such list shall be published also in the office of the union board or the panchayat, at the police-station and at the sub-registry office within the jurisdiction of which such village or local area is situated and also in the office of the Competent Authority.

(2) A Competent Authority may, either of his own motion or on application made in that behalf, by order in writing, include in or exclude from any list prepared under sub-paragraph (1) any land which it considers should be included therein or excluded therefrom and every such amendment of the list shall be published in the manner provided in sub-paragraph (1) for the publication of the list and thereupon the said list shall be deemed to be amended accordingly.

(3) Any person aggrieved by an order of the Competent Authority made under sub-paragraph (2) may within fifteen days from the date of the order appeal against such order to such appellate authority as may be specified in this behalf by the Provincial Government and on every such appeal the appellate authority may, after giving the appellant an opportunity of being heard, either reject the appeal or direct that the list prepared under sub-paragraph (1) be amended by inclusion therein or exclusion therefrom, as the case may be, any land which is the subject matter of such appeal and when the appellate authority so directs the said list shall be amended accordingly by the Competent Authority.

(4) Any order of the Competent Authority under this paragraph shall, subject to the provisions of sub-paragraph (3), be final.

(5) Any land for the time being included in the list prepared under sub-paragraph (1) shall be deemed for the purposes of this Order to be waste land.

4. A Competent Authority may at any time after the commencement of this Order, also prepare a list showing therein the description of all arable lands not under cultivation in each village or local area within the area under its authority and the provisions of sub-paragraphs (1), (2), (3) and (4) of paragraph 3 shall apply to the preparation, publication and amendment of such list, to the orders made by the Competent Authority for inclusion in or exclusion from such list of any land and to appeals from such orders as they apply in respect of such matters in relation to waste lands:

Provided that the Competent Authority shall not include in such list any arable land which in his opinion is being left fallow in order to improve the soil thereof for agricultural purposes.

5. Every person in possession or effective control of any waste land in any village or local area shall bring such land under cultivation during

each agricultural season beginning with the agricultural season immediately following the publication of the list of waste lands under sub-paragraph (1) of paragraph 3 in such village or local area, and such person,—

(a) shall grow thereon one or more of the food and fodder crops specified in the Schedule to this Order (hereinafter referred to as the said crops), and

(b) shall not use the land for any purpose other than growing the said crops.

6. (1) If a list of arable lands not under cultivation in any village or local area has been prepared and published under paragraph 4, every person in possession or effective control of any arable land included in such list shall bring such land under cultivation during each agricultural season beginning with the agricultural season immediately following the publication of the said list and shall grow thereon one or more of the said crops.

(2) If a list of arable lands not under cultivation in any village or local area has not been prepared and published under paragraph 4, the Competent Authority may by order in writing direct any person in possession or effective control of any arable land not under cultivation to bring such land under cultivation during each agricultural season beginning with the agricultural season immediately following the date of the said order and to grow thereon one or more of the said crops and such person shall comply with such order of the Competent Authority.

(3) No person in possession or effective control of any arable land included in a list of arable lands not under cultivation prepared and published under paragraph 4, or who has been directed under sub-paragraph (2) of this paragraph to bring any arable land not under cultivation, under cultivation, shall use such land otherwise than for the purpose of growing any of the said crops.

7. If any person in possession or effective control of any waste land, or arable land not under cultivation, satisfies the Competent Authority that he is unable to bring such land under cultivation, the Competent Authority may by order in writing exempt such person from all or any of the provisions of paragraph 5 or paragraph 6, as the case may be, in respect of any agricultural season or seasons.

8. An appeal, if presented within fifteen days from the date of the Order appealed against, shall lie to the Appellate Authority specified in this behalf by the Provincial Government from every order made by a Competent Authority under sub-paragraph (2) of paragraph 6 and from every order by a Competent Authority refusing to grant exemption under paragraph 7.

9. A Competent Authority may at any time together with such persons as he may consider necessary enter upon and inspect any waste or arable land with a view to securing compliance with this Order.

10. Nothing in this Order shall apply to any land which is comprised within any homestead.

11. (1) If any person in possession or effective control of any waste or arable land not under cultivation fails to comply with any of the provisions of paragraph 5 or of paragraph 6, then, without prejudice to any other action that may be taken against such person in respect of such non-compliance, such waste or arable land shall be liable to be placed by an order issued under sub-rule (2) of rule 80B of the Defence of India Rules in the exclusive possession of such other person and for such period as may be specified in the said Order.

<sup>1</sup>Original paragraph 11 has been renumbered as sub-paragraph (1) of paragraph 11 and sub-paragraph (2) has been added by notification No. 3149 Agri., dated the 18th August, 1944.

<sup>1</sup>(2) Notwithstanding anything contained in the Bengal Tenancy Act, 1885, no person who is placed in exclusive possession of any waste or arable land by an order made under sub-rule (2) of rule 80B of the Defence of India Rules shall acquire any right of occupancy in such land.

### The Schedule.

[Paragraph 5.]

#### Food and Fodder Crops.

1. Paddy. 2. Wheat. 3. Pulses. 4. Maize. 5. Vegetables.
6. Millets.

*Notification No. 1557 Agri., dated the 10th May, 1944 (published in the "Calcutta Gazette" of the 18th May, 1944, Pt. I, p. 651).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Food Crops Production Control Order, 1944, the Governor is pleased to appoint the date of publication of this notification in the *Calcutta Gazette* as the date on which the said Order shall come into force in the whole of Bengal excepting the Chittagong Hill-tracts.

*Notification No. 122 Agri., dated the 8th January, 1945 (published in the "Calcutta Gazette" of the 18th January, 1945, Pt. I, p. 90).*

In exercise of the power conferred by clause (b) of paragraph 2 of the Bengal Food Crops Production Control Order, 1944, the Governor is pleased to appoint all officers of the Jute Regulation-cum-Agricultural Development Department of and above the rank of Range Inspectors to be "Competent Authority" for all or any of the purposes of the said Order for the areas within their respective jurisdictions.

*Notification No. 311 Agri., dated the 16th January, 1944 (published in the "Calcutta Gazette" of the 25th January, 1945, Pt. I, p. 131).*

In exercise of the power conferred by clause 8 of the Bengal Food Crops Production Control Order, 1944, the Governor is pleased to specify the Sub-divisional Magistrate of each subdivision to be the Appellate Authority to whom appeals—

- (a) against any order made by a Competent Authority under sub-clause (2) of clause 6 of the said Order in respect of any land within the subdivision, or
- (b) against any order made by a Competent Authority refusing to grant exemption under clause 7 of the said Order in relation to any land within the subdivision,

may be preferred under clause 8 of the said Order.

*Notification No. 14048 D. C. S., dated the 26th November, 1945 (published in the "Calcutta Gazette" of the 29th November, 1945, Pt. I, p. 1993).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules

<sup>1</sup>Original paragraph 11 has been renumbered as sub-paragraph (1) of paragraph 11 and sub-paragraph (2) has been added by notification No. 3149 Agri., dated the 18th August, 1944.

that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a press-note summarising and explaining its provisions:—

1. (1) This Order may be called the Bengal Foodgrains Control Order, 1945.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(3) It shall come into force in such areas and on such dates as the Provincial Government may, by notification in the *Official Gazette*, direct:

Provided that the provisions of this Order applicable to carriers shall not come into force in any area unless and until they have been expressly brought into force in such area by a notification issued in that behalf by the Provincial Government.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) “carrier” means a person who undertakes the carriage, transport or movement of rice husked or rice in the husk (paddy) of not less than 10 maunds in weight from one place to another on behalf of another person by any form of wheeled or water transport, but does not include a railway administration as defined in the Indian Railways Act, 1890, or the owner of an inland steam-vessel as defined in the Inland Steam-Vessels Act, 1917;

(b) “dealer” means a person dealing in the purchase or sale of any foodgrain or storing any foodgrain for sale and includes any person so dealing or storing on behalf of another as a commission agent or *arhatia*, but does not include a producer except in so far as such producer deals in the purchase or sale of any foodgrain or stores any foodgrain other than the foodgrain which is produced by himself with or without the aid of members of his family or paid labourers or by *adhiars*, *bargadars* or *bhagdars*;

(c) “foodgrain” means any of the commodities specified in the First Schedule to this Order or any bye-product thereof, and includes any other commodity which the Provincial Government may from time to time declare, by notification in the *Official Gazette*, to be a commodity to which this Order applies;

(d) “Form” means a form as set forth in the Second Schedule to this Order;

(e) “large producer” means a person who cultivates land the area of which is not less than 25 acres at any one time and grows thereon paddy by himself with or without the aid of members of his family or paid labourers or by *adhiars*, *bargadars* or *bhagdars*;

(f) “producer” means a person who cultivates land and produces thereon any foodgrain by himself with or without the aid of members of his family or paid labourers or by *adhiars*, *bargadars* or *bhagdars*;

(g) “purchase in wholesale quantities”, “sale in wholesale quantities” and “storage for sale in wholesale quantities” mean—

(i) in the case of rice husked or rice in the husk (paddy) or both taken together, purchase or sale in quantities exceeding 20 maunds in any one transaction or storage in quantities exceeding 20 maunds for purposes of sale, as the case may be, and

- (ii) in the case of other foodgrains either singly or taken together, purchase or sale in quantities exceeding 10 maunds in any one transaction or storage in quantities exceeding 10 maunds for purposes of sale, as the case may be;
- (h) "godown" means any premises, shed or structure used or proposed to be used for the storage of any food-grain and includes a vessel;
- (i) "maund" means a weight of 40 seers, each consisting of 80 tolas.

3. (1) No dealer or large producer shall engage in any undertaking which involve the purchase, sale or storage for sale in wholesale quantities of any foodgrains and no carrier shall engage any undertaking which involves the carrying, transport or movement of rice husked or rice in the husk (paddy) by wheeled or water transport except under and in accordance with the conditions of a license issued under paragraph 4.

(2) For the purpose of this paragraph any person other than a producer who stores—

- (a) rice husked or rice in the husk (paddy) or both taken together in quantities exceeding 20 maunds, or
- (b) other foodgrains, either singly or taken together in quantities exceeding 10 maunds,

shall, unless the contrary is proved be deemed to store the foodgrains for purposes of sale:

Provided that dealers, large producers and carriers who were either licensed under the Foodgrains Control Order, 1942, or were engaged before the commencement of this Order in any undertaking which involves the purchase, sale or storage for sale, in wholesale quantities of any foodgrain or which involves the carrying, transport or movement of rice husked or rice in the husk (paddy) by wheeled or water transport shall be allowed one month's time from such commencement to obtain a license under this Order:

Provided further that every license for the time being in force issued under paragraph 3 of the Bengal Rice Mills Control Order, 1943, shall in so far as it authorises the purchase in wholesale quantities of rice husked and rice in the husk (paddy) shall be deemed for the purposes of this Order to be a license issued under this Order authorising such purchase:

<sup>1</sup>[Provided also that every license issued under the Foodgrains Control order, 1942, and in force on the date of commencement of this Order shall be deemed for the purposes of this Order to be a license issued under this Order and to be valid until the date on which a license is issued under this Order to the person holding such license under the Foodgrains Control Order, 1942, or until the 15th <sup>2</sup>(April) 1946, whichever is earlier:]

Provided also that the Provincial Government may, by general or special order, exempt, subject to such conditions and in respect of such area or areas as may be specified in the order, any dealer, large producer or carrier from the operation of this paragraph.

4. (1) The Provincial Government may, on application made to it in this behalf, grant a license—

- (a) to any dealer, authorising him to purchase, sell or store for sale in wholesale quantities any one or more foodgrains,
- (b) to any large producer authorising him to sell or store for sale in wholesale quantities rice husked or rice in the husk (paddy),

<sup>1</sup>Added by notification No. 14293D.C.S., dated the 3rd December 1945.

<sup>2</sup>Substituted by notification No. 2593D.C.S., dated the 23rd February 1946.

- (c) to any carrier authorising him to carry, transport or move rice husked or rice in the husk (paddy), by any form of wheeled or water transport :

Provided that the Provincial Government may without assigning any reason refuse to grant a license to any person under this sub-paragraph.

(2) Every license granted to a dealer under sub-paragraph (1) shall, when it is granted in respect of rice husked or rice in the husk (paddy), be in Form A and shall, when it is granted in respect of other foodgrains, be in Form A(1).

(3) Every license granted to a large producer under sub-paragraph (1) shall be in Form A (2).

(4) Every license issued under sub-paragraph (1) to dealers or large producers shall specify—

- (a) the foodgrain or foodgrains in respect of which the license has been granted;
- (b) the place or places at which and the area in which, the licensee may carry on business;
- (c) the address or addresses of the godown or godowns in which the licensee may store the foodgrain or foodgrains covered by the license; and
- (d) the conditions subject to which the license is granted.

(5) Every license granted to a carrier under sub-paragraph (1) shall be in Form A(3) and shall specify the area within which the licensee is permitted to carry on business and the conditions subject to which the license is granted.

5. (1) Every person holding a license issued under clause (c) of sub-paragraph (1) of paragraph 4 shall—

- (a) if he accompanies any consignment of rice husked or rice in the husk (paddy) carry the license with him, and
- (b) if he does not accompany such consignment, provide the person accompanying such consignment with a journey ticket in Form E.

(2) Every journey ticket issued by a licensee under clause (b) of sub-paragraph (1) of paragraph 5 shall be collected by such licensee as soon as may be after the delivery of the consignment in respect of which it was issued and shall then be cancelled by him in such manner as may be specified by the Provincial Government.

(3) If any journey ticket is not collected by a licensee within three days of the delivery of the consignment in respect of which it was issued, the licensee shall at once notify the fact to the Provincial Government and shall forward at the same time to the Provincial Government a true copy of such ticket.

(4) Every licensee by whom any journey ticket is issued under clause (b) of sub-paragraph (1) shall maintain a register of such tickets in Form F and shall on cancellation of the journey tickets preserve all such journey tickets for a period of one year from such cancellation.

6. (1) Every application for a license under sub-paragraph (1) of paragraph 4 authorising a dealer or a large producer to purchase, sell or store for sale in wholesale quantities rice husked or rice in the husk (paddy) shall,—

- (a) when made by a dealer, be submitted to the Provincial Government in Form B, and

(b) when made by a large producer, be submitted to the Provincial Government in Form B(1).

(2) Every application made by a carrier for a license under sub-paragraph (1) of paragraph 4 authorising him to carry, transport or move rice husked or rice in the husk (paddy) shall be submitted to the Provincial Government in Form B(2).

(3) Every application by a dealer for a license under sub-paragraph (1) of paragraph 4 authorising him to purchase, sell or store for sale in wholesale quantities any foodgrains other than rice husked or rice in the husk (paddy) shall be submitted to the Provincial Government in Form B(3).

(4) Every applicant for a license shall state full and true particulars in his application.

7. (1) No license shall be granted under the provisions of this Order except on payment by the applicant for the license at the time of making application therefor of such fee as may be specified by the Provincial Government under sub-paragraph (2) and every such license shall be valid until the 30th of November following the date of issue, but shall be renewable each year for a further period of one year on payment by the licensee at the time of making the application for renewal of the fee specified in this behalf by the Provincial Government under the said sub-paragraph.

(2) The Provincial Government may, from time to time, by notification in the Official Gazette, specify the fee which may be charged for the grant or renewal of any license under this Order the manner in which such fee shall be paid, and the fee so specified may be different for different types of licenses.

8. If a license granted under this Order is defaced, lost or destroyed, the Provincial Government may after making such inquiry as it deems necessary issue a fresh license in place thereof on payment of double the fee specified by the Provincial Government for the renewal of such a license and thereupon the license that has been defaced, lost or destroyed shall be deemed to be cancelled.

9. (1) Every person licensed under this Order, other than a carrier, shall submit returns of his stocks of foodgrains in such form, at such intervals and containing such particulars as may be specified in the license.

(2) It shall not be necessary for a person holding a license under the Bengal Rice Mills Control Order, 1943, which is deemed to be a license issued under this Order to submit any returns under this Order and such person shall submit only such returns as are required to be submitted under the Bengal Rice Mills Control Order, 1943.

10. (1) No person, other than a person holding a license issued or deemed to be issued under this Order or a producer, shall have in his possession or under his control any quantity of rice husked or rice in the husk (paddy) or both, in excess of 20 maunds, except under and in accordance with the conditions of a permit granted in this behalf in Form C by the Provincial Government:

<sup>1</sup>[Provided that every permit which has been issued under the Bengal Essential Foodgrains Possession and Storage Order, 1944, and is in force on the date of commencement of this Order shall be deemed for the purposes of this Order to be a permit issued under this Order and to be valid until the date on which a permit is issued under this Order to the person holding such permit under the Bengal Essential Foodgrains Possession and Storage Order, 1944, or until the <sup>2</sup>(15th April, 1946), whichever is earlier.]

<sup>1</sup>Inserted by notification No. 14293D.C.S., dated the 3rd December 1945.

<sup>2</sup>Substituted by notification No. 2593D.C.S., dated the 23rd February 1946.

**Explanation.**—For the purposes of this sub-paragraph, any stocks of rice husked or rice in the husk (paddy) in the possession or under the control of the members of a household shall be deemed to be in the possession or under the control of the head of the household.

(2) Every permit granted under sub-paragraph (1) shall specify the quantity of rice husked or rice in the husk (paddy) or both, which may be kept or stored in excess of 20 maunds and the place or places at which they may be stored.

11. Every person to whom a permit has been granted under sub-paragraph (1) of paragraph 10 shall on the last day of each calendar month submit to the Provincial Government <sup>1</sup>[in Form D(3)] a true and correct return of the rice husked or rice in the husk (paddy) or both, in his possession or under his control on such day.

12. (1) No person being the holder of a license issued or deemed to be issued under this Order shall contravene any of the conditions of such license.

(2) No person to whom a permit has been granted under this Order shall contravene any of the conditions of such permit.

13. (1) If any person being the holder of a license issued or deemed to be issued under this Order or being the holder of a permit granted under this Order contravenes any of the provisions of this Order or any of the conditions of such license or permit, as the case may be, then, without prejudice to any other action that may lawfully be taken against him, his license or permit, may be suspended or cancelled by order of the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1), the Provincial Government may, without giving any previous notice and without assigning any reason, suspend or cancel any license issued or deemed to be issued or any permit granted under this Order.

14. Any person authorised by the Provincial Government in this behalf may seize any foodgrain in respect of which he has reason to believe that a contravention of any of the provisions of this Order or of any of the conditions of a license issued or deemed to be issued under this Order or of any of the conditions of a permit granted under the Order has been committed.

15. Any person authorised by the Provincial Government in this behalf may enter upon and inspect any premises, vehicles or vessels in which such person has reason to believe that foodgrains are being stocked, purchased, sold or stored for sale in contravention of the provisions of this Order or in respect of which he has reason to believe that any of the conditions of any license issued or permit granted under this Order has been contravened.

16. If any person contravenes any of the provisions of this Order—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the contravention shall direct that any foodgrain together with the packages and containers thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

<sup>1</sup>Inserted by notification No. 3709D.C.S., dated the 15th March 1946.



17. The Provincial Government may, by general or special order, authorise any officer to perform all or any of the functions of the Provincial Government under this Order.

### The First Schedule.

[See paragraph 2(c).]

1. Rice in the husk (paddy).
2. Rice husked.
3. Wheat and Wheat Products (including Atta, Maida, Suji, Rawa and Bran).
4. Rahar.
5. Masur.
6. Gram, any variety.
7. Mung.

### The Second Schedule.

#### FORM A.

[See paragraph 4(2).]

No. .

*License to dealers for purchase, sale, or storage for sale in wholesale quantities of rice husked and/or rice in the husk (paddy).*

1. Subject to the provisions of the Bengal Foodgrains Control Order, 1945, and to the terms and conditions of this license.....  
 .....trading as.....  
 \*(Manager/Secretary/Proprietor of.....  
 .....), son of.....  
 ..... of village/town.....  
 \*police-station....., district  
 ....., is/are hereby authorised to purchase,  
 sell or store for sale rice husked and/or rice in the husk (paddy) in  
 wholesale quantities.

---

\*Portion within the bracket ( ) to be filled in the case of corporate bodies only.

<sup>1</sup>Added by notification No. 714D.C.S., dated the 15th January 1946.

2. The licensee shall carry on the aforesaid business only (a) at the following place(s) and/or store the foodgrains mentioned in clause 1 at only the following godown(s):—

.....  
 .....

(b) within the following area(s):—

.....  
 .....  
 .....

3. The licensee shall maintain separately for each place or godown mentioned in clause 2 a register of daily accounts for each of the foodgrains mentioned in clause 1 showing correctly—

- (a) the opening stock on each day ;
- (b) the quantities received on each day showing the place of origin and the license numbers (if any) of the persons from whom received ;
- (c) the quantities delivered or otherwise removed on each day showing the places of destination if consigned to places outside the district ; and the license numbers of the purchasers ; and
- (d) the closing stock on each day.

4. The licensee shall, in respect of each of the foodgrains mentioned in clause 1, submit to the officer issuing the license so as to reach him not later than the fifteenth day of each month, a true return in Form D of the Second Schedule to the Bengal Foodgrains Control Order, 1945, of stocks, receipts and deliveries of the foodgrain during the preceding month.

5. The licensee shall not in any one transaction, sell any of the foodgrains mentioned in clause 1, in quantities exceeding 20 maunds, to any person who does not hold a license under the Bengal Foodgrains Control Order, 1945, nor is otherwise authorised to purchase the foodgrain in wholesale quantities.

6. The licensee shall, except when specially exempted by the Provincial Government, issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and license number, the name, address and license number (if any) of the customer, the date of transaction, the quantity sold, the price per maund and the total amount charged, and shall keep a duplicate of the same to be available for inspection on demand by any officer authorised in this behalf by the Provincial Government :

Provided that it shall not be necessary to give the name and address of the purchaser in the case of a cash sale of such foodgrains of any quantity less than 20 maunds to an unlicensed purchaser.

7. The licensee shall prominently display at each of the places mentioned in clause 2 a correct list written in the language of the locality, of the prices of the foodgrains in which he is licensed to deal.

8. The licensee shall give all facilities at all reasonable times to any officer authorised in this behalf by the Provincial Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage or sale of any of the foodgrains mentioned in clause 1 and for the weighing of his stocks and for the taking of samples of such foodgrains for examination.

9. The licensee shall comply with any directions that may be given to him by the Provincial Government, in regard to the purchase, sale, or storage for sale, of any of the foodgrains mentioned in clause 1, and in regard to the language in which the registers, returns, receipts or invoices mentioned in clauses 3, 4 and 6 shall be written.

10. If this license is suspended or cancelled it shall be delivered to the officer by whom it was issued within three days of the service of the order of suspension or cancellation on the licensee.

11. This license must be attached to any application for renewal.

*Seal of the Officer issuing the license.*

*Signature and designation of the Officer  
issuing the license.*

*Dated.....194*

---

*Note.*—The licensee's attention is specially drawn to paragraphs 12(1), 13, 14 and 16 of the Bengal Foodgrains Control Order, 1945, which read:—

12. (1) No person being the holder of a license issued or deemed to be issued under this Order shall contravene any of the conditions of such license.

13. (1) If any person being the holder of a license issued or deemed to be issued under this Order or being the holder of a permit granted under this Order contravenes any of the provisions of this Order or any of the conditions of such license or permit, as the case may be, then, without prejudice to any other action that may lawfully be taken against him, his license or permit may be suspended or cancelled by order of the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1) the Provincial Government may, without giving any previous notice and without assigning any reason, suspend or cancel any license issued or deemed to be issued or any permit granted under this Order.

14. Any person authorised by the Provincial Government in this behalf may seize any foodgrain in respect of which he has reason to believe that a contravention of any of the provisions of this Order or of any of the conditions of a license issued or deemed to be issued under this Order or of any of the conditions of a permit granted under this Order has been committed.

16. If any person contravenes any of the provisions of this Order—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the contravention shall direct that any foodgrain together with the packages and containers thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

## FORM A(1).

[See paragraph 4(2).]

No.....

*License to dealers for purchase, sale or storage for sale of foodgrains other than rice husked and rice in the husk (paddy).*

1. Subject to the provisions of the Bengal Foodgrains Control Order, 1945, and to the terms and conditions of this license..... trading as.....

\*(Manager/Secretary/Proprietor of.....), son of.....

of village/town....., police-station....., district....., is/are

hereby authorised to purchase, sell or store for sale all or any of the under-mentioned foodgrains in wholesale quantities:—

\*Portion within the bracket ( ) to be filled in the case of corporate bodies only.

.....  
.....  
.....

2. The licensee shall carry on the aforesaid business only (a) at the following place(s) and/or store the foodgrains mentioned in clause 1 at only the following godown(s):—

.....  
.....  
.....  
.....

(b) within the following area(s):—

.....  
.....  
.....

3. The licensee shall maintain separately for each place or godown mentioned in clause 2 a register of daily accounts for each of the foodgrains mentioned in clause 1 showing correctly—

(a) the opening stock on each day;

(b) the quantities received on each day showing the place of origin and the license numbers (if any) of the persons from whom received.

(c) the quantities delivered or otherwise removed on each day showing the places of destination if consigned to places outside the district and the license numbers of the purchasers, and

(d) the closing stock on each day.

4. The licensee shall, in respect of each of the foodgrains mentioned in clause 1, submit to the officer issuing the license so as to reach him not later than the fifteenth day of each month, a true return in Form D(1) of the Second Schedule to the Bengal Foodgrains Control Order, 1945, of stocks, receipts and deliveries of the foodgrain during the preceding month.

5. The licensee shall not in any one transaction, sell in quantities exceeding 10 maunds any one or more of the foodgrains mentioned in clause 1 taken together, to any person who does not hold a license under the Bengal Foodgrains Control Order, 1945, nor is otherwise authorised to purchase the foodgrains in wholesale quantities.

6. The licensee shall, except when specially exempted by the Provincial Government issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and license number, the name, address and license number (if any) of the customer, the date of transaction, the

quantity sold, the price per maund and the total amount charged, and shall keep a duplicate of the same to be available for inspection on demand by any officer authorised in this behalf by the Provincial Government:

Provided that it shall not be necessary to give the name and address of the purchaser in the case of a cash sale of such foodgrains of any quantity less than 10 maunds to an unlicensed purchaser.

7. The licensee shall prominently display at each of the places mentioned in clause 2 a correct list written in the language of the locality, of the prices of the foodgrains in which he is licensed to deal.

8. The licensee shall give all facilities at all reasonable times to any officer authorised in this behalf by the Provincial Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage or sale of any of the foodgrains mentioned in clause 1, and for the weighing of his stocks and for the taking of samples of such foodgrains for examination.

9. The licensee shall comply with any directions that may be given to him by the Provincial Government in regard to the purchase, sale, or storage for sale, of any of the foodgrains mentioned in clause 1, and in regard to the language in which the registers, returns, receipts or invoices mentioned in clauses 3, 4 and 6 shall be written.

10. If the license is suspended or cancelled it shall be delivered to the officer by whom it was issued within three days of the service of the order of suspension or cancellation on the licensee.

11. This license must be attached to any application for renewal.

*Seal of the Officer issuing the license.*

*Signature and designation of the Officer  
issuing the license.*

Dated.....194

*Note.*—The licensee's attention is specially drawn to paragraphs 12(1), 13, 14 and 16 of the Bengal Foodgrains Control Order, 1945, which read:—

12. (1) No person being the holder of a license issued or deemed to be issued under this Order shall contravene any of the conditions of such license.

13. (1) If any person being the holder of a license issued or deemed to be issued under this Order or being the holder of a permit granted under this Order contravenes any of the provisions of this Order or any of the conditions of such license or permit, as the case may be, then, without prejudice to any other action that may lawfully be taken against him, his license or permit may be suspended or cancelled by order of the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1) the Provincial Government may, without giving any previous notice and without assigning any reason, suspend or cancel any license issued or deemed to be issued or any permit granted under this Order.

14. Any person authorised by the Provincial Government in this behalf may seize any foodgrain in respect of which he has reason to believe that a contravention of any of the provisions of this Order or of any of the conditions of a license issued or deemed to be issued under this Order has been committed.

16. If any person contravenes any of the provisions of this Order—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the contravention shall direct that any foodgrain together with the packages and containers thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

## FORM A(2).

[See paragraph 4(3).]

No.

*License to large producers for sale, or storage for sale of rice husked and/or rice in the husk (paddy).*

1. Subject to the provisions of the Bengal Foodgrains Control Order, 1945, and to the terms and conditions of this license.....

\*(Manager/Proprietor/Secretary of.....  
.....), son of.....  
....., of village/town.....  
police-station....., district.....  
is/are hereby authorised to sell or store for sale rice husked and/or rice in the husk (paddy) in wholesale quantities.

\*Portion within the bracket ( ) to be filled in the case of corporate bodies only.

2. The licensee shall carry on the aforesaid undertaking only (a) at the following place(s) and/or store the foodgrains mentioned in clause 1 at only the following godown(s):—

.....  
.....  
.....

(b) within the following area(s):—

.....  
.....  
.....

3. The licensee shall, in respect of each of the foodgrains mentioned in clause 1 submit to the officer issuing the license so as to reach him not later than the seventh day of each month a true return in Form D(2) of the Second Schedule to the Bengal Foodgrains Control Order, 1945, of the stocks of foodgrains held by him during the preceding month.

4. The licensee shall not in any one transaction sell any of the foodgrains mentioned in clause 1 in quantities exceeding 20 maunds, to any person who does not hold a license under the Bengal Foodgrains Control Order, 1945, nor is otherwise authorised to purchase the foodgrains in wholesale quantities.

5. The licensee shall give all facilities at all reasonable times to any officer authorised in this behalf by the Provincial Government for the inspection of his stocks and accounts, if any, of the foodgrains mentioned in clause 1, and the taking of samples of such foodgrains for examination.

6. The licensee shall comply with any directions that may be given to him by the Provincial Government, in regard to the sale or storage for sale of any of the foodgrains mentioned in clause 1.

7. If the license is suspended or cancelled it shall be delivered to the officer by whom it was issued within three days of the service of the order of suspension or cancellation on the licensee.

8. This license must be attached to any application for renewal.

*Seal of the Officer issuing the license.*

*Signature and designation of the Officer  
issuing the license.*

*Dated.....194 .*

### FORM A(3).

[See paragraph 4(5).]

No.....

*License to carriers to carry, transport and move rice husked and/or rice in the husk (paddy).*

1. Subject to the provisions of the Bengal Foodgrains Control Order, 1945, and to the terms and conditions of this license.....

---

*Note.*—The licensee's attention is specially drawn to paragraphs 12(1), 13, 14 and 16 of the Bengal Foodgrains Control Order, 1945, which read:—

12. (1) No person being the holder of a license issued or deemed to be issued under this Order shall contravene any of the conditions of such license.

13. (1) If any person being the holder of a license issued or deemed to be issued under this Order or being the holder of a permit granted under this Order contravenes any of the provisions of this Order or any of the conditions of such license or permit, as the case may be, then, without prejudice to any other action that may lawfully be taken against him, his license or permit may be suspended or cancelled by order of the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1) the Provincial Government may, without giving any previous notice and without assigning any reason, suspend or cancel any license issued or deemed to be issued or any permit granted under this Order.

14. Any person authorised by the Provincial Government in this behalf may seize any foodgrain in respect of which he has reason to believe that a contravention of any of the provisions of this Order or of any of the conditions of a license issued or deemed to be issued under this Order or of any of the conditions of a permit granted under this Order has been committed.

16. If any person contravenes any of the provisions of this Order—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the contravention shall direct that any foodgrain together with the packages and containers thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

trading as.....  
 \*(Manager/Proprietor/Secretary of.....), son of.....  
 of village....., police-station.....,  
 district....., is/are hereby authorised to carry transport  
 and move rice husked and/or rice in the husk (paddy) not exceeding.....  
 .....maunds in any one transaction within the following area :—

\*Portion within the bracket ( ) to be filled in the case of corporate bodies only.

2. The licensee is authorised to carry transport and move the above-mentioned foodgrains by means of.....

†(Note here the type of wheeled or water transport as the case may be).

3. The licensee shall give all facilities at all reasonable times to any officer authorised in this behalf by the Provincial Government for the inspection of the stocks in his possession, and for the weighment of his stocks.

4. The licensee shall comply with any directions that may be given to him by the Provincial Government, in regard to the carriage, transport and movement of the foodgrains mentioned in clause 1.

*Seal of the Officer issuing the license.*

*Signature and designation of the Officer  
 issuing the license.*

Dated.....194 .

Note.—The licensee's attention is specially drawn to paragraphs 12(1), 13, 14 and 16 of the Bengal Foodgrains Control Order, 1945, which read :—

12. (1) No person being the holder of a license issued or deemed to be issued under this Order shall contravene any of the conditions of such license.

13. (1) If any person being the holder of a license issued or deemed to be issued under this Order or being the holder of a permit granted under this Order contravenes any of the provisions of this Order or any of the conditions of such license or permit, as the case may be, then, without prejudice to any other action that may lawfully be taken against him, his license or permit may be suspended or cancelled by order of the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1) the Provincial Government may, without giving any previous notice and without assigning any reason, suspend or cancel any license issued or deemed to be issued or any permit granted under this Order.

14. Any person authorised by the Provincial Government in this behalf may seize any foodgrain in respect of which he has reason to believe that a contravention of any of the provisions of this Order or of any of the conditions of a license issued or deemed to be issued under this Order or of any of the conditions of a permit granted under this Order has been committed.

16. If any person contravenes any of the provisions of this Order—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the contravention shall direct that any foodgrain together with the packages and containers thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.



## FORM B.

[See paragraph 6(1).]

*Form of application for a license to a dealer for purchase, sale and storage for sale in wholesale quantities of rice husked and/or rice in the husk (paddy).*

1. Applicant's name\*.....  
 (\*Note.—If the application is made on behalf of a corporate body, the applicant's position vis-a-vis that body should be specifically stated.)
2. Applicant's father's name.....
3. Applicant's profession.....
4. Applicant's residence.....
5. Situation of applicant's business premises with particulars as to village, police-station and district.....  
 .....  
 .....  
 .....
6. Location of applicant's godown(s), if any.....  
 .....
7. Area of business for which license is wanted.....  
 .....
8. How long the applicant has been trading in rice husked and/or rice in the husk (paddy).....
9. Quantities and kinds of foodgrains handled annually during the past three years.....  
 .....
10. Income-tax paid in—  
 1941-42 ...  
 1942-43 ...  
 1943-44 ...
11. Whether the applicant had license under the Foodgrains Control Order, 1942, for rice husked/rice in the husk (paddy).....  
 .....
12. If so, full particulars of that license.....  
 .....

I declare that the following quantities of rice husked and/or rice in the husk (paddy) are in my possession this day and are held at the following places:—

I have understood the provisions of the Bengal Foodgrains Control Order, 1945, and the conditions of license in Form A of the Second Schedule to the said Order, and I agree to abide by them.

\*I have not previously applied for such license in this district for rice husked and/or rice in the husk (paddy).....

\*I applied for such license in this district for rice husked and/or rice in the husk (paddy) on.....  
and was/was not granted a license on.....

\*I declare that I am the Proprietor/Manager/Secretary of the firm or organisation on behalf of which this application is made.

(\*Note.—Strike out the words or paragraphs which are not applicable.)

*Signature or left thumb impression  
of the applicant.*

*Dated*.....194 .

### FORM B(1).

[See paragraph 6(1).]

*Form of application for a license to a large producer, sale or storage for sale in wholesale quantities of rice husked and/or rice in the husk (paddy).*

1. Applicant's name\*.....

(\*Note.—If the application is made on behalf of a corporate body, the applicant's position vis-a-vis that body should be specifically stated.)

2. Applicant's father's name.....

3. Applicant's address: village/town.....,  
police-station....., district.....

4. Details of premises where it is proposed to store the foodgrain with particulars as to village, police-station and district.....

5. Total area of the applicant's land under cultivation of paddy.....

6. Approximate quantity of rice in the husk (paddy) that is produced by the applicant every year.....

I have understood the provisions of the Bengal Foodgrains Control Order, 1945, and the conditions of license in Form A(2) of the Second Schedule to the said Order, and I agree to abide by them.

†I declare that I am the Proprietor/Manager/Secretary of the firm or organisation on behalf of which this application is made.

(†Note.—Strike out if not applicable.)

*Signature or left thumb impression  
of the applicant.*

*Dated*.....194 .

## FORM B(2).

[See paragraph 6(2).]

*Form of application for a license to a carrier for carriage, transport and movement of rice husked and/or rice in the husk (paddy).*

1. Applicant's name\*.....

(\*Note.—If the application is on behalf of a corporate body, the applicant's position vis-a-vis that body should be specifically stated.)

2. Applicant's father's name.....

3. Applicant's address: village.....,  
police-station....., district.....

4. Applicant's profession.....

5. Type of wheeled or water-transport for which license is wanted  
.....  
.....

6. Area for which license is wanted.....  
.....

I declare that I have understood the provisions of the Bengal Foodgrains Control Order, 1945, and the conditions of license in Form A(3) of the Second Schedule to the said Order, and I agree to abide by them.

†I declare that I am the Proprietor/Manager/Secretary of the firm or organisation on behalf of which this application is made.

(†Note.—Strike out if not applicable.)

*Signature or left thumb impression  
of the applicant.*

Dated.....194 .

## FORM B(3).

[See paragraph 6(3).]

*Form of application for a license to a dealer for purchase, sale and storage for sale in wholesale quantities of foodgrains other than rice husked and rice in the husk (paddy).*

1. Applicant's name\*.....

(\*Note.—If the application is made on behalf of a corporate body, the applicant's position vis-a-vis that body should be specifically stated.)

2. Applicant's father's name.....

3. Applicant's profession.....

4. Applicant's residence.....

5. Situation of applicant's business premises with particulars as to  
village, police-station and district.....  
.....  
.....

6. Location of applicant's godown(s), if any.....  
.....

7. Names of foodgrains for which license is wanted.....
8. Area of business for which license is wanted.....
9. How long the applicant has been trading in foodgrains other than rice husked and rice in the husk (paddy).....
10. Quantities and kinds of foodgrains other than rice husked and rice in the husk (paddy) handled annually during the past three years.....
11. Income-tax paid in—  
 1941-42 ...  
 1942-43 ...  
 1943-44 ...
12. Whether the applicant had license under the Foodgrains Control Order, 1942.....
13. If so, for what foodgrains.....
14. Full particulars of license under Foodgrains Control Order, 1942.....

I declare that the following quantities of foodgrains [other than rice husked and rice in the husk (paddy)] are in my possession this day, and are held at the places noted against each:—

I have understood the provisions of the Bengal Foodgrains Control Order, 1945, and the conditions of license in Form A(1) of the Second Schedule to the said Order, and I agree to abide by them.

\*I have not previously applied for such license in this district for the foodgrains specified in paragraph 7 of this form.....

\*I applied for such license in this district for the foodgrains specified in paragraph 7 of this form on.....and was/was not granted a licence on.....

\*I declare that I am the Proprietor/Manager/Secretary of the firm or organisation on behalf of which this application is made.

(\*Note—Strike out the words or paragraphs which are not applicable.)

*Signature or left thumb impression  
of the applicant.*

*Dated.....194 .*

**The Bengal Foodgrains Control Order, 1945.****FORM C.**

[See paragraph 10.]

**Permit.**

No.....

Dated.....194....

Valid until.....

Subject to the provisions of the Bengal Foodgrains Control Order, 1945,  
and to the terms and conditions of this permit.....

son of.....  
of.....  
police-station....., district.....,  
is permitted to possess\*.....  
maunds of rice husked/rice in the husk (paddy) to be stored in the premises  
described below:—

This permit is issued subject to the following conditions:—

- (1) The permit shall be kept by the permit-holder at the place of storage.
- (2) The permit shall be produced on demand by any officer authorised for this purpose by the Provincial Government.
- (3) The permit shall be surrendered to the officer by whom it was issued on expiry of its period of validity.



Signature of the Officer issuing the permit.

Dated.....194 .

(\*Both words and figures.)

**FORM D.**

*Return of stocks, receipts and deliveries of rice husked and/or rice in the  
husk (paddy) for the month of.....  
submitted by a licensed dealer.*

Name of licensee.....

Address of licensee.....

Licence No.....

Particulars.

Quantity  
in maunds.      Remarks, if any.

1. Stock at the beginning of the month ...
2. Quantity received during the month—
  - (a) From other persons in the same district ...
  - (b) From persons in other districts of the province ...
  - (c) From persons outside the province ...

Total ...

Particulars.	Quantity in maunds.	Remarks, if any.
3. Quantity delivered or otherwise removed during the month—		
(a) to other persons in the same district ...		
(b) to persons in other districts of the province ...		
(c) to persons outside the province ...		
4. Stock at the end of the month ...		

I declare that the above is a true and correct return.

*Signature or left thumb impression  
of the licensee.*

Dated.....194 .

#### FORM D(1).

*Return of stocks, receipts and deliveries of foodgrains other than rice husked and rice in the husk (paddy), for the month of.....194..., submitted by a licensed dealer.*

Name of licensee.....

Address of licensee.....

License No.....

Particulars.	Quantity in maunds.	Remarks, if any.
1. Stock at the beginning of the month ...		
2. Quantity received during the month—		
(a) From other persons in the same district ...		
(b) From persons in other districts of the province ...		
(c) From persons outside the province ...		
Total ...		
3. Quantity delivered or otherwise removed during the month—		
(a) to other persons in the same district ...		
(b) to persons in other districts of the province ...		
(c) to persons outside the province ...		
4. Stock at the end of the month ...		
Total ...		

I declare that the above is a true and correct return.

*Signature or left thumb impression  
of the licensee.*

Dated.....194

**FORM D(2).**

*Return of stocks of rice husked and/or rice in the husk (paddy) held by a licensed large producer for the month of.....194...*

Name of licensee.....

Address of licensee.....

License No.....

Particulars.	Quantity in maunds.	Remarks, if any.
1. Stock at the beginning of the month—		
(a) Rice husked ...		
(b) Rice in the husk (paddy) ...		
2. Stock at the end of the month—		
(a) Rice husked ...		
(b) Rice in the husk (paddy) ...		

I declare that the above is a true and correct return.

*Signature or left thumb impression  
of the licensee.*

*Dated.....194 .*

**FORM D(3).**

(See rule 11.)

*Return of stocks of rice husked and/or rice in the husk (paddy) held by a permit-holder for the month of.....194... [vide paragraph 10(1)] of the Bengal Foodgrains Control Order, 1945.*

Name of permit-holder.....

Address of permit-holder.....

Permit No.....

Particulars.	Quantity in maunds.	Remarks, if any.
Stock at the end of the month—		
(a) Rice husked ...		
(b) Rice in the husk (paddy) ...		

I declare that the above is a true and correct return.

*Signature or left thumb impression of the  
permit-holder.*

*Dated.....194....*

## FORM E.

[See paragraph 5(1) (b).]

*Journey Ticket.*

No.....issued.....

The undernoted person is in charge of boat/cart/motor vehicle No.....  
and is direct to carry.....maunds of rice husked/rice  
in the husk (paddy) from.....

.....starting on.....

to.....(consignee).....

.....at.....

.....(place).....

Name.....

Father's name.....

Village.....

P. S.....

District.....

(Signed).....

Holder of carrier's licence No.....issued at  
.....on.....

**The Bengal Foodgrains Control Order, 1945.**

## FORM F.

[See paragraph 5(4).]

*Register of Journey Tickets.*

No. of ticket.	Issued to.	Date of issue.	Journey begun on (date).	No. of vehicle/vessel.	Load.	Date of reaching destination.	Ticket received and cancelled on (date).	Signature of licensee (to be given only after completion of column 8).
1	2	3	4	5	6	7	8	9



*Notification No. 14582 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2098.)*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to direct that the said Order (with the exception of the provisions thereof applicable to carriers) shall come into force in the whole of Bengal excepting the Chittagong Hill-tracts on the 13th day of December 1945.

*Notification No. 14583 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2096.)*

In exercise of the power conferred by the fourth proviso to paragraph 3 of the Bengal Foodgrains Control Order, 1945, published under notification No. 14048 D.C.S., dated the 26th November 1945, as subsequently amended, the Governor is pleased to exempt from the operation of the said paragraph, in respect of each of the areas in which the Bengal Rationing Order, 1943, is in force, all dealers and large producers engaged in any undertaking which involves the purchase, sale or storage for sale in whole-sale quantities of any foodgrain which has been specified in respect of such area to be a rationed article under the Bengal Rationing Order, 1943.

*Notification No. 3706 D.C.S., dated the 15th March, 1946 (published in the "Calcutta Gazette" of the 28th March, 1946, Pt. I., p. 578.)*

In exercise of the power conferred by sub-paragraph (2) of paragraph 5 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to direct that journey tickets issued by licensee under clause (b) of sub-paragraph (1) of paragraph 5 of the said Order shall, on collection of such journey tickets by the said licensee after delivery of the consignment in respect of which such journey tickets were issued, be cancelled by the licensee by writing the word "cancelled" or its vernacular equivalent between two lines drawn across such journey tickets and to direct further with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of the notification shall be given by the publication of the same in the *Calcutta Gazette*.

*Notification No. 14592 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2099.)*

In exercise of the power conferred by paragraphs 6 and 8 of Forms A and A(1) as set forth in the Second Schedule to the Bengal Foodgrains Control Order, 1945, and by paragraph 5 of Form A (2) as set forth in the said Schedule, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said paragraphs in respect of the areas specified in the corresponding entries in column 2 of the said Schedule:—

1	2
Officers.	Areas.
All Regional Controllers of Procurement.	The areas of their respective jurisdictions.
All Deputy Regional Controllers of Procurement.	Ditto.
All Assistant Regional Controllers of Procurement.	Ditto.

1 Officers.	2 Areas.
All Deputy Assistant Regional Controllers of Procurement.	The areas of the jurisdictions.
All District Controllers of Civil Supplies.	Ditto.
All Additional District Con- trollers of Civil Supplies.	Ditto.
All District Assistant Controllers of Civil Supplies.	Ditto.
All Subdivisional Controllers of Civil Supplies.	Ditto.
All Deputy Subdivisional Con- trollers of Civil Supplies.	Ditto.
All District Movement Officers ...	Ditto.
All Regional Movement Officers	Ditto.
All Chief Inspectors of Procure- ment.	Ditto.
All Chief Inspectors of Civil Supplies.	Ditto.
All Inspectors of Procurement ...	Ditto.
All Sub-Inspectors of Procure- ment.	Ditto.
All Inspectors of Civil Supplies	Ditto.
All Sub-Inspectors of Civil Supplies.	Ditto.
All Cordoning Officers ...	Ditto.
All Officers-in-charge of Patrol Parties under the Directorate of Procurement.	Ditto.
The Director of Supply, all Deputy Directors of Supply and all Assistant Directors of Supply.	The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 14584D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2098.)*

In exercise of the power conferred by sub-paragraph (2) of paragraph 7 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to specify the following scales of fees which shall be charged for the grant or renewal of licences issued in Forms A, A(1) and A(2), namely:—

(a) for the grant or renewal of licences in Form A or Form A(2)—  
Rs. 2.

(b) for the grant or renewal of licences in Form A (1)—Rs. 1.

*Notification No. 3707D.C.S., dated the 15th March, 1946 (published in the "Calcutta Gazette" of the 28th March, 1946, Pt. I., p. 578.)*

In exercise of the power conferred by sub-paragraph (2) of paragraph 7 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to specify that a fee of rupee one only shall be charged for the grant or renewal of a license issued in Form A(3) and to direct that such fee shall be paid by depositing a non-judicial stamp at the time of making application for the grant or renewal of such license and to direct further with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of the notification shall be given by the publication of the same in the *Calcutta Gazette*.

*Notification No. 14593D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2098.)*

In exercise of the powers conferred by paragraph 9 of Forms A and A(1) as set forth in the Second Schedule to the Bengal Foodgrains Control Order, 1945, and by paragraph 6 of Form A(2) as set forth in the said Schedule, the Governor is pleased to direct that every holder of a license issued in Form A, Form A(1) or Form A(2)—

- (a) shall whenever any change takes place in the list of godowns mentioned in the license, give intimation of such change to the officer issuing the license within seven days of such change taking place,
- (b) shall furnish along with the monthly return in Form D or Form D(1) or Form D(2), as the case may be, of the said Schedule, a statement showing how the total stock at the end of the month mentioned by the licensee in the said return is distributed between the various godowns mentioned in the license where stocks have been kept stored, and
- (c) shall write or cause his accounts, registers and returns to be written either in Bengali or in English.

*Notification No. 14591D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2098.)*

In exercise of the power conferred by paragraph 15 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the powers mentioned in the said paragraph in the areas specified in the corresponding entries in column 2 of the said table:—

1	2
Officers.	Areas.
All Regional Controllers of Procurement.	The areas of their respective jurisdictions.
All Deputy Regional Controllers of Procurement.	Ditto.
All Assistant Regional Controllers of Procurement.	Ditto.
All Deputy Assistant Regional Controllers of Procurement.	Ditto.

1 Officers.	2 Areas.
All District Controllers of Civil Supplies.	The areas of t jurisdiction
All Additional District Controllers of Civil Supplies.	Ditto.
All District Assistant Controllers of Civil Supplies.	Ditto.
All Subdivisional Controllers of Civil Supplies.	Ditto.
All Deputy Subdivisional Controllers of Civil Supplies.	Ditto.
All District Movement Officers ...	Ditto.
All Regional Movement Officers	Ditto.
All Chief Inspectors of Procurement.	Ditto.
All Chief Inspectors of Civil Supplies.	Ditto.
All Inspectors of Procurement ...	Ditto.
All Sub-Inspectors of Procurement.	Ditto.
All Inspectors of Civil Supplies	Ditto.
All Sub-Inspectors of Civil Supplies.	Ditto.
All Cordoning Officers ...	Ditto.
All Officers-in-charge of Patrol Parties under the Directorate of Procurement.	Ditto.
All Police Officers of and above the rank of Sub-Inspectors of Police belonging to the Enforcement Branch, C.I.D., Bengal.	Ditto.
The Director of Supply, all Deputy Directors of Supply and all Assistant Directors of Supply.	The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 14585 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. 1, p. 2096.)*

In exercise of the power conferred by paragraph 17 of the Bengal Food-grains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 3 of the table below to perform the functions of the Provincial Government specified in the corresponding entries in column 2 of that table in respect of the areas specified in the corresponding entries in column 1 of the said table:—

1 Areas.	2 Functions.	3 Officers.
Calcutta ..	Functions under paragraphs 4 and 6 of the said Order and power to renew licenses under paragraph 7 and to issue fresh licenses in place of licenses defaced, lost or destroyed under paragraph 8 of the said order in so far as such functions and powers relate to licenses in respect of non-rationed foodgrains.	The Director of Supply [the Deputy Director of Supply and the Licensing Officer of the Department of Civil Supplies].
The areas of the respective jurisdictions of the officers specified opposite in Column 3 in which the Bengal Rationing Order, 1943, is in force excluding any area included within Calcutta.	Ditto ..	The District Controller of Civil Supplies, the Additional District Controller of Civil Supplies, the District Assistant Controller of Civil Supplies, the Subdivisional Controller of Civil Supplies, the Deputy Subdivisional Controller of Civil Supplies, the Subdivisional Licensing and Returns Officer and the Subdivisional Magistrate.
Each district of Bengal excluding any area in which the Bengal Rationing Order, 1943, is in force.	Functions under paragraphs 4 and 6 of the said Order and power to renew licenses under paragraph 7 and to issue fresh licenses in place of licenses defaced, lost or destroyed under paragraph 8 of the said Order.	The District Controller of Civil Supplies, the Additional District Controller of Civil Supplies and the District Assistant Controller of Civil Supplies.
Each subdivision of Bengal excluding any area in which the Bengal Rationing Order, 1943, is in force.	Functions under paragraphs 4 and 6 of the said Order and power to renew licenses under paragraph 7 and to issue fresh licenses in place of licenses defaced, lost or destroyed under paragraph 8 of the said Order.	The Subdivisional Controller of Civil Supplies, the Deputy Subdivisional Controller of Civil Supplies, the Subdivisional Licensing and Returns Officer and the Subdivisional Magistrate.

**Explanation.**—In this Order—

- (a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (b) "non-rationed foodgrains" means foodgrains which have not been specified to be rationed articles under the Bengal Rationing Order, 1943.

*Notification No. 14586 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. 1, p. 2097.)*

In exercise of the power conferred by paragraph 17 of the Bengal Food-grains Control Order, 1945, the Governor is pleased to authorise the following officers to perform the functions of the Provincial Government under paragraphs 10 and 11 of the said Order within their respective jurisdictions, namely:—

- (1) All District Controllers of Civil Supplies.
- (2) All Additional District Controllers of Civil Supplies.
- (3) All District Assistant Controllers of Civil Supplies.
- (4) All Subdivisional Controllers of Civil Supplies.
- (5) All Deputy Subdivisional Controllers of Civil Supplies.
- (6) All Subdivisional Licensing and Returns Officers.
- (7) All Subdivisional Magistrates.

*Notification No. 14587 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2096.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 3 of the table below to perform the functions of the Provincial Government specified in the corresponding entries in column 2 of that table in respect of the areas specified in the corresponding entries in column 1 of the said table:—

1 Areas.	2 Functions.	3 Officers.
Calcutta	Functions under sub-paragraph (1) of paragraph 13 of the said Order in so far as such functions relate to licences in respect of non-rationed foodgrains.	The Director of Supply and the Deputy Director of Supply.
The areas of the respective jurisdictions of the Officers specified opposite to column 3 in which the Bengal Rationing Order, 1943, is in force excluding any area included within Calcutta.	Ditto	The District Controller of Civil Supplies and the Additional District Controller of Civil Supplies.
Each district of Bengal excluding any area in which the Bengal Rationing Order, 1943, is in force.	Functions under sub-paragraph (1) of paragraph 13 of the said Order.	The District Controller of Civil Supplies and the Additional District Controller of Civil Supplies.
Each subdivision of Bengal excluding any area in which the Bengal Rationing Order, 1943, is in force.	Ditto	The Subdivisional Controller of Civil Supplies and the Subdivisional Magistrate.

*Explanation.*—In this Order—

- (a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (b) "non-rationed foodgrains" means foodgrains which have not been specified to be rationed articles under the Bengal Rationing Order, 1943.

*Notification No. 14588 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2096.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 1 of the table below to perform the functions of the Provincial Government specified in the corresponding entries in column 2 of that table in respect of the areas specified in the corresponding entries in column 3 of the said table:—

1 Officers.	2 Functions.	3 Areas.
The Director-General, Food and the Director-General of Enforcement.	Functions under sub-paragraph (2) of paragraph 13 of the said Order.	The whole of Bengal excepting the Chittagong Hill-tracts.
The Director of District Distribution.	Ditto	The districts of Dacca, Faridpur, Tippera, Noakhali and Chittagong.
Ditto	Functions under sub-paragraph (2) of paragraph 13 of the said Order in so far as such functions relate to licences in respect of foodgrains other than rice in the husk (paddy) and rice husked.	All districts in Bengal except the districts of Dacca, Faridpur, Tippera, Noakhali and Chittagong.
The Director of Rice Procurement.	Functions under sub-paragraph (2) of paragraph 13 of the said Order in so far as such functions relate to licences in respect of rice in the husk (paddy) and rice husked.	Ditto.
The Director of Supply	Functions under sub-paragraph (2) of paragraph 13 of the said Order in so far as such functions relate to licences in respect of foodgrains other than foodgrains which have been specified to be rationed articles under the Bengal Rationing Order, 1943.	The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 14589 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 12th December, 1945, Pt. I, p. 2096.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the following officers to perform the functions of the Provincial Government under paragraph 14 of the said Order within their respective jurisdictions, namely:—

- (1) All Regional Controllers of Procurement.
- (2) All Deputy Regional Controllers of Procurement.
- (3) All Assistant Regional Controllers of Procurement.
- (4) All Deputy Assistant Regional Controllers of Procurement.
- (5) All Chief Inspectors of Procurement.
- (6) All District Magistrates.
- (7) All District Controllers of Civil Supplies.
- (8) All Additional District Controllers of Civil Supplies.
- (9) All Subdivisional Magistrates.
- (10) All District Assistant Controllers of Civil Supplies.
- (11) All Subdivisional Controllers of Civil Supplies.
- (12) All Deputy Subdivisional Controllers of Civil Supplies.
- (13) All Subdivisional Licensing and Returns Officers.
- (14) All Chief Inspectors of Civil Supplies.
- (15) All Inspectors of Procurement.
- (16) All Inspectors of Civil Supplies.
- (17) All Cordoning Officers.
- (18) All Officers-in-charge of Patrol Parties.
- (19) All Officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of Inspector.
- (20) All Police Officers of and above the rank of Sub-Inspectors of Police belonging to the Enforcement Branch, C. I. D., Bengal.

*Notification No. 14590 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2096.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 1 of the table below to perform the functions of the Provincial Government under paragraph 9 of Forms A and A(1) and paragraph 6 of Form A(2) as set forth in the Second Schedule to the said Order in respect of the areas specified in the corresponding entries in column 2 of that table:—

1 Officers.	2 Areas.
All Regional Controllers of Procurement.	The areas of their respective jurisdictions.
All Deputy Regional Controllers of Procurement.	Ditto.
All Assistant Regional Controllers of Procurement.	Ditto.

<sup>1</sup>Added by notification No. 1088 D.C.S., dated the 22nd January, 1946.

1 Officers.	2 Areas.
All District Controllers of Civil Supplies.	The areas of their respective jurisdictions.
All Additional District Controllers of Civil Supplies.	Ditto.
All District Assistant Controllers of Civil Supplies.	Ditto.
All Subdivisional Controllers of Civil Supplies.	Ditto.
The Director of Supply and all Deputy Directors of Supply.	The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 3705 D.C.S., dated the 15th March, 1946 (published in the Calcutta Gazette" of the 28th March, 1946, Pt. I, p. 578.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the Assistant Regional Controllers of Procurement within their respective jurisdictions to perform the functions of the Provincial Government under subparagraph (3) of paragraph 5 of the said order and to direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of the notification shall be given by the publication of the same in the *Calcutta Gazette*.

*Notification No. 3708 D.C.S., dated the 15th March, 1946 (published in the "Calcutta Gazette" of the 28th March, 1946, Pt. I, p. 579.)*

In exercise of the power conferred by paragraph 17 of the Bengal Foodgrains Control Order, 1945, the Governor is pleased to authorise the officers specified in column 1 of the table below to perform the functions of the Provincial Government under paragraphs 3 and 4 of Form A(3) as set forth in the second schedule to the said Order in respect of the areas specified in the corresponding entries in column 2 of the table and to direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of the notification shall be given by the publication of the same in the *Calcutta Gazette*:—

1 Officers.	2 Areas.
All Regional, Deputy Regional and Assistant Regional Controllers of Procurement.	The areas of their respective jurisdictions.
All Regional Movement Officers, all Regional and District Cordoning Officers.	Ditto.
All Cordoning Officers	Ditto.
All Chief Inspectors of Procurement	Ditto.



1 Officers.	2 Areas.
All officers in charge of patrol parties under the Directorate of Procurement.	The areas of their respective jurisdictions.
All Chief Inspectors, Inspectors and Sub-Inspectors of Civil Supplies Department.	Ditto.
All Police Officers of and above the rank of Sub-Inspectors of Police.	Ditto.
All officers of the Enforcement Division of the Department of Civil Supplies of and above the rank of Preventive Officers.	Ditto.

*Order published in the "Calcutta Gazette, Extraordinary" of the 8th June, 1943,*

In exercise of the powers conferred by clauses (5) and (5a) of rule 75A, clauses (a), (aa) and (f) of sub-rule (2) of rule 81 and rule 116 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Food Grains Inquiries and Control Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. In this order—

(a) "adult" means a person above the age of twelve years;

(b) "Authorised Officer" means any person authorised <sup>1</sup>[in Calcutta by the Regional Controller of Civil Supplies for Calcutta and Industrial Area or elsewhere by the District Magistrate or the Subdivisional Magistrate] to exercise the functions of an Authorised Officer under paragraphs 3, 4, 5 and 6 of this Order in any area within their respective jurisdictions;

(c) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1886, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

(d) "Committee" means a Committee consisting of <sup>1</sup>[a] President and not more than eleven other members, approved in writing for the purposes of this Order by an Authorised Officer in the manner specified by the Provincial Government;

(e) "foodgrain" means any of the foodgrains specified in the Schedule to this Order and includes seeds of paddy.

3. Every person who is an adult shall, on demand being made either orally or in writing by an Authorised Officer or a Committee, or such members of a Committee as may be empowered in this behalf by the President of the Committee, furnish forthwith to such Officer, Committee or member as the case may be, full and true information of the stocks of all foodgrains.

<sup>1</sup>Substituted by notification No. nil, dated nil, published in the *Calcutta Gazette, Extraordinary*, dated the 8th June, 1943.

in the possession of such person together with such other information as may be required in that connection by the Authorised Officer or the Committee or such members.

4. On receipt of the information referred to in paragraph 3 and after such further inquiries as the Authorised Officer or the Committee may consider necessary, the Authorised Officer, or the Committee<sup>1</sup> shall compile a return in such form as may be specified in this behalf by the Provincial Government and shall forward a copy of the said return<sup>2</sup> [in Calcutta to the Regional Controller of Civil Supplies for Calcutta and Industrial Area and elsewhere to the Subdivisional Magistrate] or to such officer as the said Controller or Subdivisional Magistrate by general or special order may direct.

<sup>3</sup>[Provided that a Committee shall forward the copies of its returns to the said Controller, the Subdivisional Magistrate, or such officer, as the case may be, through the Authorised Officer.]

<sup>4</sup>4A. Any action taken by a Committee or by any member or members of a Committee, under paragraph 3 or paragraph 4, shall be in accordance with such general or special instructions as the Authorised Officer may give in this behalf.

5. (1) If the stock of any foodgrain other than seeds of paddy in the possession of any person exceeds the quantity of such foodgrain actually required for the use of the owner of such foodgrain and his dependants including servants up to the 31st day of December 1943, or if the stock of seeds of paddy in the possession of any person exceeds the quantity of such seeds actually required for the growing of paddy on the lands of the owner of those seeds by himself and by his *adhiars*, *bargadars* or *bhagdars* during the next agricultural season for the *Aman* paddy crop, an Authorised Officer may, by a notice in the form annexed to this Order, require the owner or the person in possession of such foodgrain or seeds not to dispose in any way of the amount of such excess (which shall be specified in the notice) without the permission in writing of the Regional Controller of Civil Supplies for Calcutta and the Industrial Area, if the stocks are in Calcutta or the Subdivisional Magistrate if the stocks are in a subdivision (excluding in the case of the Sadar subdivision of the district of the 24 Parganas, the suburbs of Calcutta) until any further order is issued by such Controller or Subdivisional Magistrate in respect of the amount of such excess and every such owner or person shall, on service of such notice, comply with the requirements of the said notice.

(2) For the purpose of sub-paragraph (1) the quantity of foodgrains other than seeds of paddy actually required for the use of the owner of such foodgrains and his dependants including servants and the quantity of seeds of paddy actually required for the growing of paddy on the lands of the owner of such seeds by himself and by his *adhiars*, *bargadars* and *bhagdars* shall be determined in accordance with such instructions as may be issued in this behalf by the Provincial Government.

(3) A notice issued under sub-paragraph (1) shall be deemed to be withdrawn if no further order is issued by the Regional Controller of Civil Supplies for Calcutta and the Industrial Area, or the Subdivisional Magistrate, as the case may be, under the Defence of India Rules in respect of the excess of stocks referred to in that sub-paragraph within one month from the date of service of such notice on the owner or person in possession of such stocks.

<sup>1</sup>Omitted by the notification No. nil, dated nil, published in the *Calcutta Gazette*, Extraordinary, dated the 8th June, 1943.

<sup>2</sup>Substituted, *ibid*.

<sup>3</sup>Added, *ibid*.

6. For the purposes of paragraphs 4 and 5, an Authorised Officer may, together with such persons as he may consider necessary, enter upon any premises where he has reason to believe that foodgrains have been stocked, or purchase or sale of foodgrains in wholesale or in retail is carried on, and inspect such premises and any stocks of foodgrains thereon or therein and require any person to furnish to him such further information in connection therewith as the Authorised Officer may consider necessary:

Provided that in entering upon and inspecting any premises the Authorised Officer shall have due regard to the social and religious customs of the persons occupying the premises.

### **The Schedule.**

[See paragraph 2 (e).]

Rice in the husk (paddy), rice husked, millets, cereals, pulses.

### **Form of Notice.**

[See paragraph 5 (1).]

Under sub-paragraph (1) of paragraph 5 of the Bengal Food Grains Inquiries and Control Order, 1943, I hereby require that you Maulvi/Babu

son of....., of....., who have been found in possession of stocks of foodgrains specified in column I of the table below of the total quantity mentioned in the corresponding entries in column 2 of that table at the place described below, shall not remove from such place, or any way dispose of, such quantity of such foodgrains as are specified in the corresponding entries in column 3 of that table without the permission in writing of the Regional Controller of Civil Supplies for Calcutta and the Industrial Area/Subdivisional Magistrate, .....subdivision, until further orders are issued under the Defence of India Rules by such Controller...../Subdivisional Magistrate in respect of those foodgrains.

Foodgrains.	Total quantity found in stock in maunds and seers.	Quantity not to be removed or disposed of in maunds and seers.
1	2	3

Description of the place where stocks of foodgrains are found.....

2. You are hereby warned that if you fail to comply with the requirements of this notice you shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under <sup>1\*</sup> \* \* \* the Defence of India Rules.

*Signature.*

*Authorised Officer in charge of.....*

*Date.....*

<sup>1</sup>See footnote 2 on page 1314, *ante*.

*Notification No. 168 F.G., dated the 20th August, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 21st August, 1943, p. 137).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules the Governor is pleased to make the following Order, namely:—

**The Bengal Foodgrains (Movement Control) Order, 1943.**

1. (1) This Order may be called the Bengal Foodgrains (Movement Control) Order, 1943.

(2) It extends to the whole of Bengal.

2. In this Order, unless there is anything repugnant in the subject or context—

(a) "export" means to move or cause to be moved out of the Province of Bengal into any other Province in British India or into any Indian State;

(b) "Director" means the Director of Civil Supplies, Bengal, and includes any person authorised by the said Director of Civil Supplies to perform all or any of the functions of the Director under this Order;

(c) "foodgrains" means any of the foodgrains specified in the schedule to this Order and includes any products of those foodgrains.

3. (1) No person shall export any foodgrains except under and in accordance with a permit issued in that behalf by the Director:

Provided that nothing in this sub-paragraph shall apply to the export of foodgrains—

(a) not exceeding two and one half maunds in weight in the aggregate by a *bona fide* traveller as a part of his luggage;

(b) under and in accordance with military credit notes;

(c) under and in accordance with a permit duly issued before by the Provincial Government or any officer authorised by the Provincial Government:

Provided further that the Director may, by general or special order, exempt from the provisions of this sub-paragraph the export of foodgrains to such extent, in such manner, and for such period as may be specified in the Order.

(2) If it appears to the Director that a permit issued by him under sub-paragraph (1) is not likely to be utilised or that there are sufficient reasons for requiring its cancellation, he may cancel the permit and on such cancellation the holder of the permit shall forthwith return it to the authority issuing it.

4. Applications for permits to export foodgrains during any calendar month shall be made in writing not later than the fifteenth day of the preceding month to the Director and shall contain full and true particulars of the following:—

(i) name of consignor;

(ii) name of consignee;

(iii) quantity and nature of consignment;

(iv) port or railway station of despatch (including district and Province in which situated);

(v) port or railway station of destination (including district and Province in which situated);

(vi) price at which the foodgrains included in the consignment have been sold:

Provided that applications for permits to export foodgrains during the months of August and September, 1943, may be made at any time during those months.

5. Where any foodgrains are exported by rail in accordance with a permit issued by the Director, the permit shall be returned by the consignor to the Director on completion of despatch of the quantity therein mentioned with the entries in respect of each consignment showing the quantity despatched and the date of despatch duly certified by the station master on the permit.

6. Where any foodgrains are exported by sea in accordance with a permit issued by the Director, the consignor shall deliver the permit to the Customs Collector, who shall return the permit to the Director after the consignment has been exported.

7. Where any foodgrains are exported otherwise than by rail or by sea in accordance with a permit issued by the Director, the permit shall be disposed of in accordance with such instructions as the Director may indicate on the permit.

18. If any person contravenes the provisions of sub-paragraph (1) of paragraph 3 of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall order that any stocks of foodgrains together with packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the direction should not be made in respect of the whole, or as the case may be, a part of the property.

### **The Schedule.**

[See paragraph 2 (c).]

- |                              |            |
|------------------------------|------------|
| 1. Wheat.                    | 6. Gram.   |
| 2. Rice in the husk (paddy). | 7. Barley. |
| 3. Rice husked.              | 8. Maize.  |
| 4. Jowar.                    | 9. Rahar.  |
| 5. Bajra.                    | 10. Masur. |

*Notification No. 10780 D.C.S., dated the 18th August, 1945 (published in the "Calcutta Gazette" of the 30th August, 1945, Pt. I., p. 1411.)*

In exercise of the power conferred upon me by the second proviso to sub-paragraph (1) of paragraph 3 of the Bengal Foodgrains (Movement Control) Order, 1943, I hereby exempt the export of wheat by the Regional Food Commissioner of the Government of India from the stocks of that Government from the provisions of the said sub-paragraph.

<sup>1</sup>Substituted by notification No. 6306 F.G. (Pro.), dated the 13th December, 1944.

*Notification No. 225 F.G., dated the 24th August, 1943 (published in the "Calcutta Gazette" of the 26th August, 1943, Pt. I, p. 1382).*

In exercise of the power conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Foodgrains' Prices Control Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context—

(a) "agriculturist" means any person who cultivates land by himself or by members of his family or by paid labourers or by *adhiars*, *bargadars* or *bhagdars* and includes a person under whom a tenant holds land on condition of delivering a fixed quantity of produce of such land to that person but does not include any such person when he is acting as a *bepari*, *paikar* or agent for the purchase, sale or storage for sale of any foodgrain derived from crops other than those grown on such land;

(b) "foodgrain" means any of the commodities specified in the Schedule to this Order and includes any other commodity which the Provincial Government may from time to time declare by notification in the *Official Gazette* to be a commodity to which this Order applies;

(c) "trader" means any person engaged in the purchase, sale or storage for sale of any foodgrain;

(d) "retail trader" means a trader who sells any foodgrain in quantities not exceeding  $2\frac{1}{2}$  maunds in any one transaction;

(e) "wholesale trader" means a trader other than a retail trader.

3. (1) The Provincial Government may from time to time by notification in the *Official Gazette* fix the maximum price at which any foodgrain may be sold by an agriculturist, a retail trader, a wholesale trader or other person and may in like manner vary, amend or rescind any notification issued under this paragraph.

(2) Every such notification shall specify the date with effect from which or the period for which such maximum price has been fixed and different maximum prices may be so fixed for different periods and for agriculturists, retail traders, wholesale traders or other persons.

4. When the maximum price at which any foodgrain may be sold by any person has been fixed under paragraph 3—

(a) no such person shall sell or agree to sell and no person shall purchase or agree to purchase any such foodgrain at a price exceeding the maximum price of such foodgrain so fixed;

(b) no such foodgrain shall be delivered or accepted in pursuance of an agreement entered into before such fixing of the maximum price which provides for the payment of a price exceeding the maximum price of such foodgrain so fixed, unless the agreement is by consent of the parties so revised as to substitute for the price originally agreed upon a price not exceeding the maximum price so fixed.

5. Any person authorised by the Provincial Government in this behalf may—

- (a) enter upon and inspect any premises used or believed to be used for the purchase, sale or storage for sale of any foodgrain;
- (b) require the owner, occupier or other person in charge of such premises or any trader to produce any books, accounts, vouchers or other documents relating to the purchase, sale or storage for sale of any foodgrain or to furnish such information relating to the said transactions as the person so authorised may consider necessary;
- (c) require a wholesale trader or a retail trader to submit such returns, reports or statements relating to the purchase, sale or storage for sale of any foodgrain as the person so authorised may consider necessary.

6. If any person contravenes the provisions of paragraph 4 of this Order—

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable, '[any Court trying the offence shall order] that any stocks of foodgrains, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty '[unless for reasons to be recorded in writing the court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.]

### The Schedule.

1. Rice in the husk (paddy).
2. Rice husked.

*Notification No. 440 F.G., dated the 31st August, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 1st September, 1943, p. 145).*

In exercise of the power conferred by paragraph 3 of the Bengal Foodgrains' Prices Control Order, 1943, and in partial modification of notification No. 226 F.G., dated the 24th August, 1943, the Governor is pleased to direct that the maximum prices at which rice husked may be sold by a retail trader in Calcutta and in the districts specified in column 1 of the table below, shall be such amounts per maund above the maximum prices at which rice husked may be sold by a wholesale trader specified in column 3 of the table appended to clause (a) of the said notification as are specified in the corresponding entries in column 2 of the table below during the respective periods the maximum prices at which husked rice may be sold by a wholesale trader referred to above are in force.

Districts	Amounts.	Districts.	Amounts.
	Rs. a.		Rs. a.
Calcutta	... 2 0	Jessore	... 1 0
24-Parganas	... 2 0	Khulna	... 2 0
Nadia	... 1 0	Burdwan	... 2 0
Murshidabad	... 1 0	Birbhum	... 1 8

<sup>1</sup>Substituted by notification No. 375D.C.S., dated the 9th January, 1946.

<sup>2</sup>Added, *ibid.*

Districts	Amounts.	Districts.	Amounts.
	Rs. a.		Rs. a.
Bankura	1 8	Pabna	... 1 0
Midnapore	2 0	Malda	... 1 0
Hooghly	2 0	Dacca	... 2 0
Howrah	2 0	Mymensingh	... 1 0
Rajshahi	1 8	Faridpur	... 2 0
Dinajpur	1 0	Bakarganj	... 2 0
Jalpaiguri	1 0	Chittagong	... 2 0
Darjeeling	2 0	Tippera	... 2 0
Rangpur	1 0	Noakhali	... 2 0
Bogra	1 8	Chittagong Hill-tracts	... 1 0

*Explanation.*—In this notification “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866.

*Notification No. 607 F.G., dated the 7th September, 1943 (published in the “Calcutta Gazette, Extraordinary” of the 8th September, 1943, p. 153).*

In exercise of the power conferred by paragraph 3 of the Bengal Food-grains’ Prices Control Order, 1943, the Governor is pleased to direct that the maximum prices at which rice husked may be sold per seer by a retail trader during the periods and with effect from the dates specified in column 1 of the table below shall be such amounts as are specified in the corresponding entries in columns 2, 3 and 4 of that table, in respect of the areas specified respectively in the headings to columns 2, 3 and 4 of that table:—

Period.	For Calcutta and the districts of 24 Parganas, Khulna, Burdwan, Midnapore, Hooghly, Howrah, Darjeeling, Dacca, Faridpur, Bakarganj, Chittagong, Tippera and Noakhali.	For the districts of Rajshahi, Birbhum, Bankura and Bogra.	For the districts of Nadia, Murshidabad, Jessore, Dinajpur, Jalpaiguri, Rangpur, Pabna, Malda and Mymensingh.
	Retail price per seer.	Retail price per seer.	Retail price per seer.
	As. p.	As. p.	As. p.
Until the 9th September 1943	13 0	12 9	12 6
With effect from the 10th September, 1943, until the 24th September, 1943 (both inclusive).	10 6	10 3	10 0
With effect from the 25th September, 1943.	9 0	8 9	8 6

*Explanation.*—In this notification—

(1) “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866;

(2) “seer” means a standard seer of eighty tolas.



*Notification No. 1785 F.G., dated the 4th March, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th March, 1944, Pt. I, p. 65).*

In exercise of the power conferred by paragraph 3 of the Bengal Foodgrains' Prices Control Order, 1943, and in supersession of notification No. 3151 F.G., dated the 18th November, 1943, the Governor is pleased to fix for the districts mentioned in column 1 of the Schedule below the maximum prices per maund at which rice husked may be sold by wholesale traders other than rice mills and by agriculturists as those specified in columns 2(a) and 2(b), respectively, of the said Schedule and the maximum prices per maund at which rice in the husk (paddy) may be sold by wholesale traders and agriculturists as those specified in columns 3(a) and 3(b), respectively, of the said Schedule:—

### Schedule.

Name of districts.	Maximum price per maund of rice husked for sale by—		Maximum price per maund of rice in the husk (paddy) for sale by—	
	Wholesale traders other than rice mills.		Wholesale traders.	
	Agriculturists.		Agriculturists.	
	2(a).	2(b)	3(a)	3(b)
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
Burdwan, Birbhum, Bankura, Midnapore, Jessore, Khulna, Mymensingh, Bakarganj, Rajshahi, Dinajpur, Jalpaiguri, Bogra and Malda.	13 12	13 0	8 0	7 12
Hooghly, Howrah (excluding the municipalities of Howrah and Bally-Belur), 24 Parganas (excluding the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge), Nadia, Murshidabad, Dacca, Faridpur, Chittagong, Tippera, Noakhali, Rangpur, Pabna and Darjeeling.	15 0	14 4	8 8	8 4

*Explanation.*—In this notification—

- (a) All prices are *ex-godown* and the cost of bags is excluded therefrom in all cases.
- (b) A maund means the weight equivalent to a standard maund of 40 seers of 80 tolas per seer.

II. This Order shall come into force on the 15th March, 1944.

*Notification No. 2562 F.G. (Pro.), dated the 11th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 12th April 1944, p. 113).*

In exercise of the power conferred by paragraph 3 of the Bengal Foodgrains' Prices Control Order, 1943, and in supersession of notification No. 1785 F.G., dated the 4th March, 1944, the Governor is pleased to fix for the districts mentioned in column 1 of the Schedule below the maximum prices per maund at which rice husked may be sold by wholesale traders other than rice mills and by agriculturists as those specified in columns 2(a) and 2(b), respectively, of the said Schedule and the maximum

prices per maund at which rice in the husk (paddy) may be sold by wholesale traders and agriculturists as those specified in columns 3(a) and 3(b), respectively, of the said Schedule:—

### Schedule.

Names of districts.	Maximum price per maund of rice husked for sale by—		Maximum price per maund of rice in the husk (paddy) for sale by—	
	Wholesale traders other than rice mills.	Agricul- turists.	Wholesale traders.	Agricul- turists.
	2(a).	2(b).	3(a).	3(b).
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
Burdwan, Birbhum, Bankura, Midnapore, Jessore, Khulna, Mymensingh, Bakarganj, Rajshahi, Dinajpur, Jalpaiguri, Bogra and Malda.	3 12	13 0	7 12	7 8
Hooghly, Howrah (excluding the municipalities of Howrah and Bally-Belur), 24 Parganas (exclud- ing the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge), Nadia, Murshidabad, Dacca, Faridpur, Chitta- gong, Tippera, Noakhali, Rangpur, Pabna and Darjeeling.	14 12	14 0	8 4	8 0

*Explanation.*—In this notification—

- (a) All prices are *ex-godown* and the cost of bags is excluded therefrom in all cases.
- (b) A maund means the weight equivalent to a standard maund of 40 seers of 80 tolas per seer.

II. This Order shall come into force on the 15th April, 1944.

*Notification No. 2077 D.S.C., dated the 27th February, 1945 (published in the "Calcutta. Gazette" of the 1st March, 1945, Pt. I, p. 370).*

In exercise of the power conferred by paragraph 3 of the Bengal Foodgrains' Prices Control Order, 1943, and in supersession of notification No. 3396 F.G. (Pro.), dated the 5th June, 1944, the Governor is pleased to fix for the districts mentioned in column 1 of the Schedule below the maximum prices per maund at which rice husked may be sold by wholesale traders other than rice mills and by agriculturists as those specified in columns 2(a) and 2(b), respectively, of the said Schedule and the maximum

prices per maund at which rice in the husk (paddy) may be sold by wholesale traders and agriculturists as those specified in columns 3(a) and 3(b), respectively, of the said Schedule:—

### Schedule.

Names of districts.	Maximum price per maund of rice husked for sale by—		Maximum price per maund of rice in the husk (paddy) for sale by—	
	Wholesale traders other than rice mills.	Agricul- turists.	Wholesale traders.	Agricul- turists.
	2(a). Rs. a.	2(b) Rs. a.	3(a) Rs. a.	3(b) Rs. a.
Dacca, Faridpur, Chittagong, Noakhali and Tippera	13 8	12 12	7 4	7 0
Howrah (excluding the municipalities of Howrah and Bally-Belur), Hooghly (excluding the municipalities of Uttarpara, Kotrung, Rishra, Konnagore, Serampore, Baidyabati, Champdani, Bhadreswar, Hooghly-Chinsurah and Bansberia), and 24-Parganas (excluding the South Suburban Municipality and the municipalities of Garden Reach, Tollygunge, Budge Budge, South Dum Dum, Dum Dum, Baranagore, Kamarhati, Panihati, Khardah, Titagar, South Barrackpore, North Barrackpore, Garulia, Bhatpara, Naihati, Halishar, Kanchrapara and also the Barrackpore Cantonment).	12 12	12 0	7 2	6 14
Burdwan, Birbhum, Bankura, Midnapore, Jessore, Khulna, Mymensingh, Bakarganj, Rajshahi, Dinajpur, Jalpaiguri, Hogra, Malda, Nadia, Murshidabad, Rangpur, Pabna and Darjeeling.	12 12	12 0	6 12	6 8

*Explanation.*—In this notification—

- (a) All prices are *ex-godown* and the cost of bags is excluded therefrom in all cases.
- (b) A maund means the weight equivalent to a standard maund of 40 seers of 80 tolas per seer.

<sup>1</sup>Provided that the maximum prices fixed under this paragraph shall not apply to purchases made by persons holding permits in writing issued for the purpose by or under the authority of the Regional, Deputy Regional or Assistant Regional Controllers of Procurement within their respective jurisdictions.

II. This notification shall come into force on the 11th March, 1945.

*Notification No. 1084D.C.S., dated the 31st January 1945 (published in the "Calcutta Gazette" of the 15th February 1945, Pt. I, p. 260).*

In exercise of the power conferred by paragraph 5 of the Bengal Foodgrains' Prices Control Order, 1943, and in supersession of notification No. 1825F.G., dated the 6th March, 1944, the Governor is pleased to authorise the officers mentioned in column 1 of the table below in respect

<sup>1</sup>Added by notification No. 2614D.C.S., dated the 14th March, 1945.

of the areas specified in the corresponding entries in column 2 of the said table to exercise the powers referred to in clauses (a), (b) and (c) of the said paragraph :—

Officers.	Areas.
1	
All Regional Controllers of Procurement.	Within their respective regions.
All District Magistrates, Additional District Magistrates and District Controllers of Civil Supplies.	Within their respective districts.
All Deputy and Assistant Regional Controllers of Procurement.	Within their respective jurisdictions.
All Subdivisional Officers, District Assistant Controllers of Civil Supplies and Subdivisional Controllers of Civil Supplies.	Within their respective jurisdictions.
All Inspectors of Civil Supplies ...	Within their respective jurisdictions.

Provided that no such powers shall be exercised in any area if in respect of that area any foodgrain, in relation to which such power is exercised, has been specified to be a rationed article under the Bengal Rationing Order, 1943.

*Notification No. 8819D.C.S., dated the 26th/27th June, 1945 (published in the "Calcutta Gazette" of the 5th July, 1945, Pt. I, p. 1136).*

In exercise of the power conferred by paragraph 5 of the Bengal Foodgrains' Prices Control Order, 1943, and in supersession of notification No. 3698F.G. (Pro.), dated the 26th June 1944, the Governor is pleased to authorise the officers mentioned in column 1 of the table below in respect of the areas specified in the corresponding entries in column 2 of the said table to exercise the powers referred to in clauses (a) and (b) of the said paragraph :—

Officers.	Areas.
1	2
Circle Officers	The areas of their respective jurisdictions.
All Police Officers not below the rank of a Sub-Inspector.	Ditto.
District Controllers of Civil Supplies, Additional District Controllers of Civil Supplies, District Assistant Controllers of Civil Supplies.	Ditto.
District Enforcement Officers ...	Ditto.
Subdivisional Controllers of Civil Supplies, Deputy Subdivisional Controllers of Civil Supplies.	Ditto.
All Officers of the Directorate-General of Enforcement in the Department of Civil Supplies, of and above the rank of a Sub-Inspector.	Ditto.

Provided that no such powers shall be exercised in any area in relation to any foodgrain if such foodgrain has, in respect of that area, been specified to be a rationed article under the Bengal Rationing Order, 1943.

*Notification No. F.D.-E.R./6., dated the 14th July, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 15th July, 1943, p. 112).*

**The Foodgrains Restriction of Movement (Calcutta) Order, 1943. ..**

In exercise of the powers conferred on the Central Government by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules and by virtue of the delegation by the Central Government to the Regional Commissioner, Eastern Region, of all such powers as aforesaid within the Provinces of Assam, Bengal, Bihar and Orissa in relation to foodgrains and their products, the Regional Commissioner, Eastern Region, hereby orders:—

(1) That no foodgrain or product thereof specified in the Schedule annexed hereto shall as from the date of this Order until further order be moved in any manner or for any purpose by any person from Calcutta and the Industrial Area to any place outside the said areas, except under and in accordance with the conditions of a permit in writing issued by the Director of Civil Supplies, Bengal, or by any person duly authorised by him in writing in this behalf;

(2) That any such foodgrain or product thereof moved or attempted to be moved in contravention of the above Order shall be liable to detention by such persons and in such manner as the Director of Civil Supplies, Bengal, may determine and, without prejudice to any other penalty or consequence by law applicable thereto, shall be liable to forfeiture in accordance with rule 81 (4) of the Defence of India Rules.

*Explanation.*—In this Order—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and

<sup>1</sup>(2) "Industrial Area" means the municipalities of Howrah and Bally.

**The Schedule.**

- (1) Rice husked.
- (2) Rice in the husk (paddy).
- (3) Dals.
- (4) Wheat and Wheat products (including atta, maida, suji, rawa and bran).

*Notification No. 6098 D.C.S., dated the 24th July, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 26th July, 1943, p. 117).*

In pursuance of notification No. F.D.-E.R./6, dated the 14th July 1943, as amended by notification No. F.D.-E.R./6, dated the 19th July 1943, issued by the Regional Commissioner, Eastern Region, the Director of Civil Supplies, Bengal, hereby authorises the following officers to exercise powers referred to in clauses (1) and (2) of the said Order in respect of the commodities and the areas shown below:—

*Commodity.*—Wheat and wheat products.

*Area.*—Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and Industrial Area, namely, the municipalities of Howrah and Bally in the district of Howrah.

<sup>1</sup>Substituted by notification No. F.D.-E.R./6, dated the 19th July, 1943.

*Officers who will exercise the powers.*—The Controller and Assistant Controller of Wheat and Wheat Products, Bengal, P34, Mission Row Extension, Calcutta.

*Commodity.*—Other foodgrains.

*Area.*—Calcutta as defined above.

*Officers who will exercise the powers.*—Regional, Joint and Deputy Regional Controllers of Civil Supplies, Calcutta, and Industrial Area, 1st Floor, 7, Church Lane, Calcutta, and the Foodgrains Purchasing Officer, Bengal, Top Floor, 7, Church Lane, Calcutta.

*Commodity.*—All foodgrains.

*Area.*—Industrial area as defined above.

*Officers who will exercise the powers.*—District Magistrate, Howrah, and Subdivisional Officer, Sadar, Howrah.

This order comes into force immediately.

This cancels notification No. 6023D.C.S., dated the 19th July, 1943, issued by the Director of Civil Supplies, Bengal.

*Order No. 179 Com. (C.D.), dated the 18th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 20th April, 1942).*

Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community to regulate the distribution and disposal of certain essential commodities in Calcutta and the industrial area during the period of emergency and specially after an air raid;

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that all shops, retail or wholesale, in the said areas dealing in or storing any of the commodities specified in the Schedule below and all godowns and stores in the said areas in which any such commodity is stored which may remain closed during an air raid shall be opened within a period of 24 hours after the "all clear" signal is given, and that if any such shops, godowns or stores remain closed after the said period, the Chief Controller of Prices, Bengal, or any officer authorised by him in writing, in this behalf, in Calcutta, and elsewhere the District Magistrate, may, in their discretion, have such shops, godowns or stores forcibly opened, take possession of the goods or stores lying therein and dispose of them in such manner as they consider expedient, the compensation for goods or stores so taken possession of, being determined by the officer taking such possession in his own discretion.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and
- (2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

#### **The Schedule.**

Rice, wheat, *atta*, flour, *dals*, mustard oil, salt, coke and matches.

*Order No. 180 Com. (C. D.), dated the 18th April, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 20th April, 1942).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct—

- (1) that no essential commodity specified in the annexed Schedule shall be moved by any form of conveyance by any person in Calcutta and the industrial area to any place outside the said areas, except under and in accordance with, the conditions of a permit in writing issued by the Chief Controller of Prices, Bengal, or by any person authorised in writing by him in this behalf;
- (2) that any goods carried in contravention of the above order shall be liable to seizure by such persons and in such manner as the Chief Controller of Prices, Bengal, may determine and the goods so seized shall be disposed of in such manner as the said Chief Controller of Prices considers expedient, and that the amount of compensation payable for goods so seized and disposed of, shall be determined by the said Chief Controller of Prices entirely in his discretion.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and
- (2) "industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

### **The Schedule.**

Rice, wheat, *atta*, flour, *dals*, mustard oil, salt, coke and matches.

*Notification No. 1673 Com. (C.D.), dated the 4th/9th July, 1942 (published in the "Calcutta Gazette" of the 16th July, 1942, Pt. I, p. 1791).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that every retail or wholesale dealer in Calcutta and the neighbouring industrial area dealing in any of the commodities specified in the Schedule below shall display and keep displayed in a prominent position in his shop or place of business to the satisfaction of the Chief Controller of Prices, Bengal, a copy in the language or languages most likely to be understood by the persons generally using such shops (being one or more of the following languages, namely, English, Bengali, Hindi, Urdu) of the list of the maximum prices fixed by the Chief Controller of Prices, Bengal, of the commodities referred to above in which such retail or wholesale dealer deals.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and

- (2) "neighbouring industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

**The Schedule referred to above.**

Rice, atta, flour, salt, sugar, pulses, mustard oil, cocoanut oil, coal, kerosene and matches.

*Notification No. 1791 (om. (C.D.), dated the 16th July, 1942 (published in the "Calcutta Gazette" of the 23rd July, 1942, Pt. I, p. 1829).*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that no person shall export or carry or cause to be exported or carried any quantity of any of the foodstuffs specified in the schedule hereto annexed from any district in Bengal to any place outside the Province of Bengal except upon and in accordance with the conditions of a permit issued by the Chief Controller of Prices, Bengal, or by any officer authorised by him in this behalf.

**The Schedule referred to above.**

- (1) Rice in the husk (paddy).
- (2) Rice not in the husk.

*Notification No. 8007 C.S., dated the 10th November, 1942 (published in the "Calcutta Gazette" of the 19th November, 1942, Pt. I, p. 2563).*

Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community to obtain regular reports of stocks of commodities mentioned in the schedule below :

Now, therefore, in exercise of the power conferred by clause (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that owners, managers or persons in charge of shops, firms and mills situated in Calcutta as well as in Ramkrishnapore and Uluberia in the Howrah district and Tollygunge in the 24-Parganas district and dealing in the commodities specified in the schedule below shall submit without fail on the 16th and on the 1st of every month a statement of actual stocks lying in their shops, firms or mills on the preceding date.

*Explanation.*—In this order "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

**The Schedule.**

Rice, paddy, pulses, mustard seed, mustard oil and soft coke.

*Notification No. 1748 D.C.S., dated the 21st December, 1942 (published in the "Calcutta Gazette," Extraordinary, of the 22nd December, 1942, Pt. I, p. 184).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct that no essential commodity specified in the



annexed schedule shall be moved by any form of conveyance by any person from any place within Calcutta and the Industrial area to any place outside the said areas except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers named below:—

1. Controller of Civil Supplies, Calcutta—when the specified commodities are situated in Calcutta Police jurisdiction.

2. District Magistrate, 24-Parganas—when the specified commodities are situated in the district of 24-Parganas.

3. District Magistrate, Howrah—when the specified commodities are situated in the district of Howrah.

4. District Magistrate, Hooghly—when the specified commodities are situated in the district of Hooghly.

*Explanation.*—In this order—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by section 1 of the Calcutta Suburban Police Act, 1866, and

(2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

This order will come into effect from the 22nd December 1942.

### **The Schedule.**

Rice in the husk (paddy).

Rice husked.

*Notification No. 9023C.S., dated the 27th December, 1942 (published in the "Calcutta Gazette" of the 31st December, 1942, Pt. 1, p. 2875).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct—

(a) that no consignment of any of the commodities specified in the annexed schedule lying undelivered on the 28th December, 1942, or arriving on any subsequent date at any of the railway or steamer stations in Calcutta and in the municipality of Howrah shall be delivered to the consignee or to any other person except under a permit in writing issued by or under the authority of the Controller of Civil Supplies, Calcutta;

(b) that no such consignee or any other person on his behalf shall dispose of any such commodity except under and in accordance with the conditions of another delivery order issued by or under the authority of the Controller of Civil Supplies, Calcutta;

(c) that the permit issued under clause (a) and delivery orders issued under clause (b) shall not be transferable;

(d) that nothing in this order shall apply to commodities consigned to the Military or to any department or office of the Central or Provincial Government.

**Explanation.**—In this order “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

### **The Schedule.**

Rice, dal, mustard oil, atta and flour.

*Notification No. 9055 C.S., dated the 29th December, 1942 (published in the “Calcutta Gazette” of the 31st December, 1942, Pt. I, p. 2890).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that no owner, manager or person in charge of godown, mill, shop, office, or any other place of storage of rice, dal and sugar sealed under the orders of the Government of Bengal, since the 26th December, 1942, shall sell or otherwise dispose of any quantity of rice, dal or sugar stocked therein except under specified or general orders in writing passed, or terms and conditions prescribed, by or under the authority of the Director of Civil Supplies, Bengal.

*Order No. 9061 C.S., dated the 29th December, 1942 (published in the “Calcutta Gazette” of the 31st December, 1942, Pt. I, p. 2890).*

In pursuance of the notification No. 179 Com.(C.D.), dated the 18th April, 1942, the following officers are hereby empowered to have shops, godowns and stores dealing in any of the commodities specified below, which may remain closed after the period of 24 hours after the “all clear” signal is given, forcibly opened and to take possession of the goods or stores lying therein and dispose of them in such manner as they consider expedient:—

All Inspectors of Civil Supplies, Calcutta Area.

All police officers in Calcutta not below the rank of Sub-Inspectors of Police.

All Superintendents of Calcutta Corporation Markets.

These officers are empowered to exercise this power within the limits of their own jurisdiction under the direction and control of the Controller of Civil Supplies, Calcutta.

**Commodities.**—Rice, wheat, atta, flour, dals, mustard oil, salt, coke and matches.

*Notification No. 23 C.S., dated the 4th January, 1943 (published in the “Calcutta Gazette” of the 7th January, 1943, Pt. I, p. 5).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to cancel so much of Order No. 9023 C.S., dated 27th December, 1942, as relates to the delivery at railway and steamer stations in Calcutta and in the municipality of Howrah of rice, dal and mustard oil and their subsequent disposal.

**Explanation.**—Calcutta means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 3210 D.C.S., dated the 18th February, 1943 (published in the "Calcutta Gazette" of the 25th February, 1943, Pt. I, p. 357).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule and in supersession of order No. 666 D.C.S., dated the 20th January, 1943, the Governor is pleased to direct that no essential commodity specified in Schedule I shall be loaded for movement by railways, steamers or boats of more than 300 maunds capacity, by any person from any place within the districts specified in Schedule II to any place outside the said districts, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the District Magistrate of the district in which the commodity is situated, or of the Food Grains Purchasing Officer, Bengal.

#### **Schedule I.**

Rice in the husk (paddy).

Rice husked.

#### **Schedule II.**

(1) Bankura.

(2) Howrah and Hooghly districts considered as one area.

(3) Murshidabad district.

(4) Nadia district.

(5) Jessore District.

(6) Mymensingh }

(7) Dacca }

(8) Faridpur }

(9) Tippera }

} districts considered as one area.

*Notification No. 3211 D.C.S., dated the 18th February, 1943 (published in the "Calcutta Gazette" of the 25th February, 1943, Pt. I, p. 357).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule and in supersession of Orders Nos. 1747 D.C.S. of 21st December, 1942, 665 D.C.S., dated 20th January, 1943, and 2183 D.C.S., dated 2nd February, 1943, the Governor is pleased to direct that the commodities specified in Schedule I shall not be moved by any person from any place within the areas specified in Schedule II, to any place outside the said areas, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the Food Grains Purchasing Officer, Bengal.

#### **Schedule I.**

Rice in the husk (paddy).

• Rice husked.

#### **Schedule II.**

(1) District of Burdwan.

(2) District of Birbhum.

(3) The Basirhat and Diamond Harbour subdivisions of the district of 24-Parganas considered as one area.

- (4) District of Midnapore.
- (5) District of Khulna.
- (6) District of Bakarganj.
- (7) District of Noakhali.
- (8) Districts of Rajshahi Division considered as one area.

*Notification No. 4156 D.C.S., dated the 6th April, 1943 (published in the "Calcutta Gazette" of the 15th April, 1943, Pt. I, p. 727).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules read with clause (f) of that sub-rule and in supersession of all previous orders restricting the movement of rice or paddy in Bengal [excepting Order No. 180 Com.(C.D.), dated the 18th April, 1941, by which the movement of foodstuffs and other specified commodities out of Calcutta and the industrial area as defined in that order was restricted], the Governor is pleased to direct that the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in Schedule II below, to any place outside that area, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the Foodgrains Purchasing Officer, Bengal:

Provided that—

- (a) no such permit shall be required for the movement of any consignment of the said commodities not exceeding twenty maunds in weight at any one time;
- (b) nothing in this order shall affect any orders passed by the Deputy Commissioner of Darjeeling and District Magistrate, Chittagong, in respect of export of rice and paddy from their respective districts.

#### **Schedule I.**

Rice in the husk (paddy).

Rice husked.

#### **Schedule II.**

Rajshahi Division.

Presidency and Burdwan Divisions considered as one area.

Dacca and Chittagong Divisions considered as one area.

*Notification No. 4860 D.C.S., dated the 1st May, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 3rd May, 1943, p. 77).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule and in supersession of all previous orders so far as they relate to the movement of rice and paddy in Bengal, the Governor is pleased to direct that the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in column 1 of Schedule II below to any place outside that area, except under and in accordance with

the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II:—

### Schedule I.

Rice in the husk (paddy).  
Rice husked.

### Schedule II.

1	2
Calcutta and Industrial Area	... Regional Controller of Civil Supplies, Calcutta and Industrial Area.
The District of Darjeeling	... Deputy Commissioner, Darjeeling.
The District of Chittagong	... District Magistrate, Chittagong.

*Explanation.*—In this Order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and
- (2) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of the 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

*Notification No. 351 F.G., dated the 28th August, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 28th August, 1943, p. 144).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules read with clause (f) of that sub-rule, the Governor is pleased to direct that with effect from the date of the Order, the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in column 1 of Schedule II below to any place outside that area, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II:

Provided that no such permit shall be required for the movement of any consignment of the said commodities, not exceeding 2½ maunds in weight at any one time.

### Schedule I.

Rice in the husk (paddy).      Rice husked.

### Schedule II.

1	2
Mymensingh district	... District Magistrate, Mymensingh.
Rangpur district	... District Magistrate, Rangpur.
Dinajpur district	... District Magistrate, Dinajpur.
Malda district	... District Magistrate, Malda.
Nadia district	... District Magistrate, Nadia.
Jessore district	... District Magistrate, Jessore.

*Notification No. 2157 F.G., dated the 28th October, 1943 (published in the "Calcutta Gazette" of the 4th November, 1943, Pt. I, p. 1605).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules read with clause (f) of that sub-rule, the Governor is pleased to direct that with effect from the date of the Order the commodities specified in the Schedule below shall not be moved by any person from any place within the district of Faridpur to any place outside that district, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the District Magistrate, Faridpur:

Provided that no such permit shall be required for the movement of any consignment of the said commodities, not exceeding  $2\frac{1}{2}$  maunds in weight at any one time.

#### **Schedule.**

Rice in the husk (paddy).

Rice husked.

*Notification No. 2995 F.G., dated the 15th November, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 19th November, 1943, p. 203).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### **Order.**

1. No consignment or any part thereof of any of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Calcutta and the Industrial Area shall be delivered to the consignee or to anybody else, unless such delivery is authorised by an endorsement in writing to this effect made by the Director-General, Food, Department of Civil Supplies, Bengal, or an officer empowered by him in this behalf on the railway or steamer receipt under which such consignment or part thereof is deliverable:

Provided that nothing in this Order shall apply to the delivery of any consignment, which is booked under a military credit note or to an officer of the Defence services by designation.

*Explanation.*—In this Order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (2) "Consignee" includes the Director of Civil Supplies, Bengal, or any officer of Government to whom any of the commodities specified in the Schedule has been consigned; and
- (3) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of the 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

2. No railway or steamer receipt in respect of any consignment or part thereof of any of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Calcutta or the Industrial Area shall be transferred by sale or otherwise to any person

other than the consignee unless the Director-General, Food, Department of Civil Supplies, Bengal, has specially permitted such transfer by an order in writing.

### The Schedule.

1. Rice in the husk (paddy).
2. Rice husked.

*Notification No. 331 F.G., dated the 17th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1944, p. 11).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

1. No employer of labour who supplies foodstuffs to his employees shall for that purpose have in his possession more than '[six months]' requirements for such employees of rice or paddy or of rice and paddy combined without a written permit in this behalf from the Food and Civil Supplies Commissioner, Bengal, or an officer authorised by him in this behalf.

*Explanation.*—For the purpose of this Order—

(a) the requirements of each employee shall be taken to be 20 seers of rice or paddy or of rice and paddy combined per month, and

(b) "employer of labour" includes an association of employers who supply foodstuffs to their employees.

2. This Order shall not apply to any area in which the Essential Foodstuffs Anti-Hoarding Order, 1944, is in force.

*Notification No. 3339 D.C.S., dated the 31st March, 1945 (published in the "Calcutta Gazette" of the 4th April, 1945, Pt. I, p. 522).*

In exercise of the power conferred by paragraph 1 of the Order published with notification No. 331 F.G., dated the 17th January, 1944, and in supersession of notification No. 665 F.G., dated the 26th January, 1944, I hereby authorise the officers mentioned in column 1 of the table below to issue permits for the purposes of the said paragraph in respect of the areas specified in column 2 of the said table:—

Officers.	Areas.
1	2
All District Controllors of Civil Supplies.	The areas of their respective jurisdictions.

*Notification No. 294 S., dated the 8th February, 1944 (published in the "Calcutta Gazette" of the 17th February, 1944, Pt. I, p. 165).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that, with effect from the date of publication of this Order in the *Calcutta Gazette*, the commodities specified in the Schedule below shall not be moved by any person from any place within the Chittagong Hill-tracts to any place

---

<sup>1</sup>Substituted by notification No. 3338 D.C.S., dated the 31st March, 1945.

outside the said tracts except under and in accordance with the conditions of a permit in writing issued by or under the authority of the Deputy Commissioner, Chittagong Hill-tracts:

Provided that no such permit shall be required for—

- (a) the movement by steamer or motor transport as personal luggage of any consignment of the said commodities not exceeding two maunds in weight at any one time;
- (b) the movement by country boat or in the case of movement by road by conveyances other than motor transport of any consignment of the said commodities not exceeding twenty maunds in weight at any one time.

### The Schedule.

Rice in the husk (paddy).      Rice husked.

*Notification No. 1220 F.G., dated the 18th February, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 19th February, 1944, p. 57).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 4707 F.G., dated the 13th December, 1943, the Governor is pleased to direct that the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in column 1 of Schedule II below to any place outside that area except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II:

[Provided that no such permit shall be required for the movement by rail, steamer or motor transport as personal luggage of any consignment of the said commodities not exceeding 2 maunds in weight at any one time.]

### Schedule I.

Rice in the husk (paddy).      Rice husked.

### Schedule II.

Areas.	Officers.
1	2
1. District Midnapore	Deputy Director or Additional Deputy Director of Civil Supplies, Calcutta.
2. District Bankura	
3. District Birbhum	
4. District Burdwan	
5. District Malda	Deputy Director of Civil Supplies, Dinajpur.
6. District Dinajpur	
7. District Jalpaiguri	
8. District Rajshahi	Additional Deputy Director of Civil Supplies, Rajshahi.
9. District Bogra	
10. District Mymensingh	Deputy Director of Civil Supplies, Dacca.
11. District Bakarganj	
12. District Khulna	Additional Deputy Director of Civil Supplies, Khulna.

### Schedule III.

[Omitted by notification No. 2422 F.G.(Pro.), dated the 1st April, 1944.]



*Notification No. 330S., dated the 8th March, 1944 (published in the "Calcutta Gazette" of the 16th March, 1944, Pt. I, p. 265).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that, with effect from the date of publication of this order in the *Calcutta Gazette*, the commodities specified in the Schedule below shall not be moved by any person from any place within the Chittagong Hill-tracts to any place outside the said tracts except under and in accordance with the conditions of a permit in writing issued by or under the authority of the Deputy Commissioner, Chittagong Hill-tracts—

### **The Schedule.**

Rice in husk (paddy). Rice husked.

2. This cancels Order No. 294S., dated the 8th February, 1944, published at page 165, Part I of the *Calcutta Gazette* of the 17th February, 1944.

*Notification No. 3324F.G. (Pro.), dated the 29th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 747).*

In exercise of the power conferred by clause (e) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of Order No. 2099F.G., dated the 27th October, 1943, the Governor is pleased to make the following Order, namely:—

1. (1) Every banking company shall forward to the Director of Civil Supplies, Bengal, in the manner provided in sub-paragraph (2), a true return in the form annexed hereto of all stocks, receipts and deliveries of—

(a) any of the foodgrains specified in the Schedule annexed hereto held by the said company by way of security for the repayment of any loan in money or in kind advanced to any person by the said company, and

(b) any of such foodgrains purchased by any person by money advanced by way of loan to such person by the said company, the particulars regarding the stocks received on the purchase of which are maintained by the said company.

(2) Every such return shall be submitted fortnightly of all stocks, receipts and deliveries of such foodgrains during the periods from the 1st to the 15th (both inclusive) and from the 16th to the end (both inclusive) of every month on the 20th of that month and on the 5th of the immediately succeeding month respectively.

(3) When a banking company neither holds any such foodgrains by way of security for the repayment of any loan advanced by the said company as referred to in clause (a) of sub-paragraph (1) nor has advanced any money by way of loan for the purchase of any such foodgrains as referred to in clause (b) of that sub-paragraph, the said company shall submit a blank return under the said sub-paragraph.

2. (1) Where a banking company has its place of business both in Calcutta and elsewhere in Bengal, such company shall submit a consolidated return under paragraph 1 in respect of the business of the company in Calcutta and all other places in Bengal.

(2) Where the only place of business in Bengal of a banking company is outside Calcutta, such company shall, at the time of submitting a return to the Director of Civil Supplies, Bengal, under paragraph 1, forward a true copy of the said return to the District Magistrate of the district where such place of business is situated.

(3) Where a banking company having more than one place of business has one or more such places of business outside Calcutta, such company shall at the time of submitting a return to the Director of Civil Supplies, Bengal, under paragraph 1 forward to the District Magistrate of each such district where any such place of business is situated such extracts of the said return as relate to such place of business.

3. In this Order, "banking company" has the same meaning as in section 277F. of the Indian Companies Act, 1913.

### **The Schedule.**

Rice in the husk (paddy).

Rice husked.

Wheat and Wheat Products.

### **Form of Return.**

*Return of stocks, receipts and deliveries of the period from 1st to 15th/*  
*16th to end of the month of.....19.....*

Name of the banking company.....

Address.....

1. Names of persons of whose account or by whom stocks are held and the numbers of their licences issued under the Foodgrains Control Order, 1942.....

2. Stocks to the credit of or held by each such person at the beginning of the period.....

3. Quantities received on account of or by each person during the period.....

4. Quantities delivered to or disposed of by each such person or otherwise disposed of during the period.....

5. Total stocks held on account of or by each such person at the end of the period.....

6. Address of godowns or other premises in which stocks have been stored and the quantity of stocks stored in each such godown or premises.....

7. Total stocks held at the end of the period on account of all persons whose stocks of such foodgrains are held by the banking company by way of security for repayment of any loan or held at the end of the period by the persons to whom money has been advanced by way of loan by the banking company for the purchase of such foodgrains.....

*Notification No. 7268(200)F.G. (Dist.)M., dated the 22nd November, 1944 (published in the "Calcutta Gazette" of the 7th December, 1944, Pt. 1, p. 1419).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, which has been directed to be exercised by me by notification No. 4432Def., dated the 11th May, 1944, I hereby direct that every owner, manager, or other person in charge of a mustard oil mill situated within the areas specified in the schedule below shall submit to the Deputy Controller, Distribution, Foodgrains (Distribution) Branch of the Department of Civil Supplies, 7, Church Lane, Calcutta, by 12 noon on every

**Monday** commencing from Monday, the 27th November, 1944, a return in the form annexed herewith showing the production and disposal of mustard oil in his mill during the period of seven days ending on the previous Sunday—

### Schedule.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hasting north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

(5) The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

(6) The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsura, and (10) Bansberia in the district of Hooghly.

### Return showing production and disposal of mustard oil.

Name of the Mill.....

1		2	3	4	5	
Opening balance on the morning of the previous Monday.		Quantity of mustard seed milled during the period.	Quantity of mustard oil produced during the period.	Quantity of mustard oil sold or otherwise disposed of during the period.	Closing balance on the evening of Sunday.	
Mustard seed.	Mustard oil.				Mustard seed.	Mustard oil.

Date.....Signature.

*Notification No. 2565 D.C.S., dated the 13th March, 1945 (published in the "Calcutta Gazette" of the 22nd March, 1945, Pt. I, p. 455).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that the commodities specified in Schedule I overleaf shall not be moved by any person from any place within the area specified in column 1 of Schedule II below to any place outside that area, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II:

Provided that no such permit shall be required for the movement by rail, steamer or motor transport as personal luggage of any consignment of the said commodities, not exceeding two maunds in weight, at any one time.

\*4. A separate statement should be attached giving particulars of each sale, namely, (a) name and address of party to whom sold, (b) quantity sold, (c) price.

**Schedule I.**

Rice in the husk (paddy).

Rice husked.

**Schedule II.****Areas.****Officers.**

1

The districts of Murshidabad, Nadia and Jessore considered as one area.

Regional Controller of Procurement, Rajshahi, for the districts of Murshidabad and Nadia, and Deputy Regional Controller of Procurement, Khulna, for the district of Jessore.

Such part of the district of Pabna, as is bounded by the districts of Rajshahi and Bogra, river Jamuna, and the Bengal and Assam railway line between Serajganj and Ishurdi, considered as one area.

Regional Controller of Procurement, Rajshahi.

*Notification No. 92061D.C.S., dated the 7th July, 1945 (published in the "Calcutta Gazette" of the 19th July, 1945, Pt. I, p. 1203).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of notification No. 1085D.C.S., dated the 31st January, 1945, as amended by notification No. 2564D.C.S., dated the 13th March, 1945, and of notification No. 2565-D.C.S., dated the 13th March, 1945, the Governor is pleased to direct that the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in column 1 of Schedule II below to any place outside that area, except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II [and that if any person contravenes the provisions of this order, then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall order that any stock of foodgrains together with packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or, as the case may be, a part of the property]:

Provided that no such permit shall be required for the movement by rail, steamer or motor transport as personal luggage of any consignment of the said commodities, not exceeding <sup>1</sup>[three seers] in weight at any one time.

**Schedule I.**

Rice in the husk (paddy).

Rice husked.

Rice products (being *muri*, *chira* or rice flour).

<sup>1</sup>Substituted by notification No. 3518D.C.S., dated the 12th March, 1946.

**Schedule II.**

Areas.	Officers.
1	2
[Sadar North, Sadar South, Jamalpur and Netrokona subdivisions of the Mymensingh district considered as one area.]	The Regional or the Additional Regional Controller of Procurement, Mymensingh, or the Assistant Regional Controllers of Procurement within their respective jurisdictions.
The district of Bakarganj	... The Regional Controller of Procurement, Bakarganj, or the Assistant Regional Controllers of Procurement within their respective jurisdictions.
The district of Khulna	The Regional Controller of Procurement, Bakarganj, or the Deputy Regional Controller of Procurement, Khulna, or the Assistant Regional Controllers of Procurement within their respective jurisdictions.
The district of Birbhum	The Regional Controller of Procurement, Calcutta, or the Deputy Regional Controller of Procurement, Asansol, or the Assistant Regional Controller of Procurement, Birbhum.
The district of Bankura	The Regional Controller of Procurement, Calcutta, or the Deputy Regional Controller of Procurement, Asansol, or the Assistant Regional Controller of Procurement, Bankura.
The district of Burdwan	The Regional Controller of Procurement, Calcutta, or the Deputy Regional Controller of Procurement, Asansol, or the Assistant Regional Controller of Procurement, Burdwan.
The district of Midnapore	The Regional Controller of Procurement, Calcutta, or the Assistant Regional Controller of Procurement, Midnapore.
The district of Dinajpur	The Regional Controller of Procurement, Dinajpur, or the Assistant Regional Controller of Procurement, Dinajpur.
The districts of Darjeeling, Jalpaiguri and Rangpur considered as one area.	The Regional Controller of Procurement, Dinajpur, or the Assistant Regional Controllers of Procurement within their respective jurisdictions.

<sup>1</sup>Substituted by notification No. 3518D.O.S., dated the 12th March, 1946.

Areas.	Officers.
1	2
The district of Malda	The Regional Controller of Procurement, Rajshahi, or the Assistant Regional Controller of Procurement, Malda.
The districts of Rajshahi and Bogra considered as one area.	The Regional Controller of Procurement, Rajshahi, or the Assistant Regional Controllers of Procurement within their respective jurisdictions.
[The districts of Murshidabad and Nadia considered as one area.]	The Regional Controller of Procurement, Rajshahi.
The district of Jessore	The Regional Controller of Procurement, Bakarganj.
The district of Pabna	The Regional Controller of Procurement, Pabna.
[The districts of 24-Parganas (excluding Basirhat subdivision), Howrah and Hooghly considered as one area.]	The Regional Controller of Procurement, Calcutta.
[Basirhat subdivision of the district of 24-Parganas.	The Regional Controller of Procurement, Bakarganj.]

*Notification No. 9643D.C.S., dated the 13th/17th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1245).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### **Order.**

1. No consignment or any part thereof of any of the commodities specified in Schedule I below arriving at any of the railway or steamer stations in any area within Bengal excepting Calcutta and the Industrial Area, shall be delivered to the consignee, or to anybody else, unless such delivery is authorised by an endorsement in writing to this effect made by the officers mentioned in column 1 of Schedule II below, in respect of delivery at railway or steamer stations situated in the areas specified in the corresponding entries in column 2 of the said Schedule, on the railway or steamer receipt under which such consignment or part thereof is deliverable:

Provided that nothing in this Order shall apply to the delivery of any consignment (1) the total weight of which does not exceed two and a half maunds or (2) which is booked under a military credit note or to an officer of the Defence services by designation.

2. No railway or steamer receipt in respect of any consignment or part thereof of any of the commodities specified in Schedule I below arriving at any of the railway or steamer stations in any area in Bengal excepting Calcutta and the Industrial Area shall be transferred by sale or otherwise to any person other than the consignee unless the District Controller of Civil Supplies of the district within which such railway or steamer station is situated, has specially permitted such transfer by an Order in writing.

## 3. In this Order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (2) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

**Schedule I.**

1. Gram, any variety.
2. Arhar (Tur).
3. Masur.
4. Moong.
5. Kalai (Urd).
6. Khesari.
7. Motor.

**Schedule II.**

Column 1. Officers.	Column 2. Areas.
All District Magistrates ...	Within their respective districts.
All District Controllers of Civil Supplies.	Ditto.
All District Assistant Controllers of Civil Supplies.	Ditto.
All Subdivisional Magistrates ...	Within their respective subdivisions.
All Subdivisional Controllers of Civil Supplies.	Within their respective jurisdictions.
All Deputy Subdivisional Controllers of Civil Supplies.	Ditto.

*Notification No. 10306 D.C.S., dated the 2nd August, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders on the subject, the Governor is pleased to direct that in the Dacca-Narayanganj Urban Area as specified in Schedule A to the Dacca-Narayanganj Urban Area Rationing Regulations, 1945, the maximum retail prices of the commodities mentioned in column 1 of the Schedule below shall, with effect from the 6th August 1945, be as specified in the corresponding entries in column 2 of that Schedule.

**The Schedule.**

1 Commodities.	2 Maximum retail prices per seer.
Rice ...	6 as. (six annas).
Paddy ...	3 as. 3 ps. (three annas and three pies).
Wheat ...	5 as. (five annas).
Flour ...	6 as. (six annas).
Sugar ...	8 as. 6 ps. (eight annas and six pies).
Salt ...	[3 as. (three annas)].

*Notification No. 12889 D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1762).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders on the subject, the Governor is pleased to direct that in the Comilla Urban Area as specified in Schedule A to the Comilla Urban Area Rationing Regulations, 1945, the maximum retail prices of the commodities mentioned in column 1 of the Schedule below shall, with effect from the 5th November, 1945, be as specified in the corresponding entries in column 2 of that Schedule:—

#### The Schedule.

1 Commodities.	2 Maximum retail price per <i>seer</i> .
Rice	... 6 as. (six annas).
Paddy	... 3 as. 3 ps. (three annas and three pies).
Wheat	... 5 as. (five annas).
Flour	... 6 as. (six annas).
Sugar	... 8 as. 6 ps. (eight annas and six pies).
Salt	... [3 as. (three annas)].

*Notification No. 993S., dated the 30th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 1st December, 1945, p. 285).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

#### Order.

1. No consignment of potatoes lying undelivered on the 3rd December, 1945, or arriving on any subsequent date at any of the railway or steamer stations in Calcutta or in the Municipality of Howrah shall be delivered to the consignee or to any other person except under a permit in writing issued by or under the authority of the Director of Agricultural Marketing.

2. No such consignee or any other person on his behalf shall dispose of any such potatoes except under and in accordance with the conditions of another delivery order issued by or under the authority of the Director of Agricultural Marketing.

3. If any such consignment of potatoes which is lying undelivered or unclaimed is sold or otherwise disposed of by the Railway Administration or the Steamer Company as the case may be such consignment shall not be purchased or otherwise obtained from such Railway Administration or Steamer Company by any person except under a permit issued in this behalf in writing by or under the authority of the Director of Agricultural Marketing.

4. No consignment of potatoes which has been originally booked to any railway or steamer station in Calcutta or in the district of Howrah shall be rebooked without being taken delivery of or diverted to any other station except under and in accordance with a permit in writing issued by or under the authority of the Director of Agricultural Marketing.



5. Any permit issued under paragraphs 1, 3 or 4 or any delivery order issued under paragraph 2 shall not be transferable.

6. If any person contravenes the provisions of paragraphs 1, 2, 3 or 4 of this Order then any potatoes in respect of which such contravention has occurred shall be liable to seizure.

7. Nothing in this Order shall apply to any consignment of potatoes booked under a military credit note or to an officer of the Defence Services by designation.

8. In this Order "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 1582 D. C. S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of all previous orders on the subject, the Governor is pleased to direct that in the Chittagong Urban Area as specified in Schedule A to the Chittagong Urban Area Rationing Regulations, 1946, the maximum retail prices of the commodities mentioned in column 1 of the Schedule below shall, with effect from the 11th February 1946, be as specified in the corresponding entries in column 2 of that Schedule:—

### The Schedule.

Commodities.	Maximum retail prices per seer.
Rice of standard quality as determined by the Provincial Government.	6 as. (six annas).
Rice of inferior quality as determined by the Provincial Government.	4 as. (four annas).
Paddy ... ..	3 as. 3 ps. (three annas and three pies).
Wheat ... ..	5 as. (five annas).
Flour ... ..	6 as. (six annas).
Sugar ... ..	8 as. 6 ps. (eight annas and six pies).

*Notification No. 2826 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders on the subject, the Governor is pleased to direct that in the Darjeeling-Kalimpong-Kurseong Urban Area as specified in Schedule A to the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946,

the maximum retail prices of the commodities mentioned in column 1 of the Schedule below shall, with effect from the 11th March, 1946, be as specified in the corresponding entries in column 2 of that Schedule:—

**The Schedule.**

1			2
Commodities.			Maximum retail prices per seer.
Rice	...	...	5 as. 6 ps. (five annas and six pies).
Paddy	...	...	3 as. 3 ps. (three annas and three pies).
Atta	...	...	5 as. (five annas).
Wheat	...	...	5 as. (five annas).
Flour	...	...	6 as. (six annas).
Sugar	...	...	8 as. 6 ps. (eight annas and six pies).
Salt	...	...	3 as. (three annas).

**(vii) FOOD RATIONING.**

*Notification No. 1252 D. C. S., dated the 9th October, 1943 (published in the "Calcutta Gazette" of the 14th October, 1943, Pt. I, p. 1533).*

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Rationing (Establishments) Inquiry Order, 1943.

(2) It shall apply to the areas specified in Schedule I to this Order and may be extended by the Provincial Government by notification in the Official Gazette to such other areas as may be specified in the notification.

2. In this Order,—

(1) the "Controller" means the Officer appointed by the Provincial Government to be Controller of Rationing;

<sup>1</sup>(1a) "Director" means the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal.

(2) "appointed date" means in relation to any specified article such date as may be fixed by the Provincial Government in respect of any area;

(3) (i) "Catering Establishments" mean hotels, restaurants, eating houses, cafes, tea-shops, coffee stalls, free feeding centres, clubs, canteens and include all other places open to the public or to any limited class of the public of a like nature where <sup>2</sup>[food or refreshment] is consumed or procurable;

(ii) "Institutions" mean hospitals, sanatoria, convalescent homes, nursing homes, orphanages, work-houses, infirmaries, asylums, schools providing meals and include all other establishments of a like nature;

(iii) "Residential establishments" mean boarding houses, apartment houses, residential hotels, residential clubs, hostels, nurses' homes, schools and include all other establishments of a like nature but do not include private households;

(iv) "Manufacturing establishments" mean bakeries, confectioneries, and include all other establishments of a like nature;

<sup>1</sup>Inserted by notification No. 5078 D. C. S., dated the 21st April, 1945.

<sup>2</sup>Substituted by notification No. 1996 D. C. S., dated the 19th November, 1943.

- (v) "Mills" mean flour mills, rice mills and include all other establishments of a like nature;
- (vi) "Animal establishments" mean stables for horses or cattle, poultry farms, zoos, menageries, veterinary hospitals, pinjrapoles and include all other establishments where animals are maintained;
- (4) "Establishment" means all the establishments referred to in sub-clauses (i) to (vi) of clause (3) and includes all establishments other than private households providing food for consumption, but does not include establishments which are controlled or managed by any person belonging or attached to or employed with His Majesty's Forces or by any person belonging or attached to or employed with the Forces of the nations in alliance with His Majesty and which provide food to the members of any of the said Forces for consumption;
- (5) "Consumption" used with reference to an establishment means an consumption of food supplied by an establishment for consumption in the premises of the establishment or elsewhere;
- (6) "Schedule" means a schedule appended to this Order;
- (7) "Specified article" means any of the articles specified in Schedule II.

3. Every person owning or in charge of any establishment in any area specified in Schedule I or in any area to which this Order may be subsequently extended, desiring to obtain any specified article on or after the appointed date, for use or consumption at such establishment shall, not later than a date fixed by the Provincial Government in this behalf for such area, furnish to the '[Director or such officer as may be specified by the Director in this behalf] true and correct information in respect of such establishment as required in any one of the forms specified in Schedule III which is appropriate to it.

4. The provisions contained in paragraph 3 shall not apply in relation to any establishment referred to in sub-clause (v) of clause (3) of paragraph 2 unless and until they have been expressly applied in relation thereto by a notification in the *Official Gazette* by the Provincial Government.

#### Schedule I.

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of <sup>2</sup>[Row Road] and Strand Road to the river bank.

2. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

3. The municipalities of Howrah and Bally-Belur in the district of Howrah.

#### Schedule II.

Rice husked and rice in the husk (paddy).

Wheat, atta, flour, bran <sup>3</sup>[suji] and bread (white, brown and wholemeal).

Dal.

Sugar.

<sup>1</sup>[Salt.]

<sup>1</sup>Substituted by notification No. 5078 D.C. S., dated the 21st April, 1945.

<sup>2</sup>Substituted by notification No. 1996 D. C. S., dated the 19th November, 1943.

<sup>3</sup>Inserted by notification No. 699 D. C. S., dated the 11th July, 1944.

**Schedule III,*****Form for Catering Establishments, Institutions and Residential Establishments.***

(To be submitted in duplicate.)

1. Name of owner or person in charge.
2. Residence.
3. Name of establishment.
4. Kind of establishment.
5. Address of establishment with name of thana.
6. Period for which the establishment has been running.
7. Average number of residents or inmates taking meals in the premises per day during <sup>1</sup>[the period from the 1st January, 1944, to the 31st December, 1944].
8. Average number of persons (other than residents or inmates) taking meals in the premises per day during <sup>1</sup>[the period from the 1st January, 1944, to the 31st December, 1944].
9. Average number of persons (other than residents or inmates) to whom meals were sent out from the establishment per day during <sup>1</sup>[the period from the 1st January, 1944, to the 31st December, 1944].
- <sup>1</sup>10. Average quantity of the specified article or articles required for the establishment per week during the period from the 1st January, 1944, to the 31st December, 1944.
- <sup>1</sup>11. Quantity of the specified article or articles in stock on the 1st May, 1945.
12. Names and address of wholesale or retail dealer from whom or manufacturing establishment or mill from which supplies of specified articles are usually obtained.
13. Amount of any monthly allotment of <sup>1</sup>[the specified article or articles] at present being received from the <sup>2</sup>[Department of Civil Supplies, Bengal].

Signature of owner.Person in charge of establishment.

Date.....

***Form for Manufacturing Establishment and Mills.***

(To be submitted in duplicate.)

1. Name of owner or person in charge.
2. Residence.
3. Name of establishment.
4. Kind of establishment.

<sup>1</sup>Substituted by notification No. 6990 D. C. S., dated the 11th July, 1944.<sup>2</sup>Substituted by notification No. 6219 D. C. S., dated the 26th April, 1945.

5. Address of establishment with name of thana.
6. Period for which the establishment has been running.
7. Name of each kind of product manufactured from any specified article and the specified article from which it is manufactured.
8. Average sales per week of each kind of product or of any specified article during <sup>1</sup>[the period from the 1st January, 1944, to the 31st December, 1944].
- <sup>1</sup>9. Average requirements per week of the specified article or articles during the period from the 1st January, 1944, to the 31st December, 1944.
- <sup>1</sup>10. Quantity of the specified article or articles or a product thereof in stock on the 1st May, 1945.
11. Name and address of wholesale or retail dealer from whom or mill from which supplies of specified articles or products are usually obtained.
12. Amount of any monthly allotment of <sup>1</sup>[the specified article or articles] at present being received from the <sup>2</sup>[Department of Civil Supplies, Bengal].

Signature of owner.

Person in charge of establishment

Date.....

### *Form for Animal Establishment.*

(To be submitted in duplicate.)

1. Name of owner or person in charge.
2. Residence.
3. Name of establishment.
4. Kind of establishment.
5. Address of establishment with name of thana.
6. Period for which the establishment has been running.
7. Average number of each kind of animal (requiring any specified article) in the establishment per day during <sup>1</sup>[the period from the 1st January, 1944, to the 31st December, 1944].
- <sup>1</sup>8. Average quantity of the specified article or articles required for the establishment per week during the period from the 1st January, 1944, to the 31st December, 1944.
- <sup>1</sup>9. Quantity of the specified article or articles in stock on the 1st May, 1945.
10. Name and address of wholesale or retail dealer from whom or mill from which supplies of specified articles are usually obtained.
11. Amounts of any monthly allotment of <sup>1</sup>[the specified article or articles] at present being received from the <sup>2</sup>[Department of Civil Supplies, Bengal].

Signature of owner.

Person in charge of establishment.

Date.....

<sup>1</sup>Substituted by notification No. 6990 D. C. S., dated the 11th July, 1944.

<sup>2</sup>Substituted by notification No. 6219 D. C. S., dated the 26th April, 1945.

*Notification No. 2119 D. C. S., dated the 20th November, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 22nd November, 1943, p. 206).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to direct that the said Order shall apply to the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

*Notification No. 2336 D. C. S., dated the 30th December, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 30th December, 1943.)*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to direct that the said order shall extend to the following municipalities in the district of 24-Parganas:—

(1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisabar and (15) Kanchrapara and also the Barrackpore Cantonment within the district of 24-Parganas and the following municipalities in the district of Hooghly:—

(1) Uttarpara, (2) Kotrung, (3) Rishra-Konnagore, (4) Serampore, (5) Baidyabati, (6) Champdani, (7) Bhadreswar, (8) Hooghly-Chinsurah and (9) Bansberia.

*Notification No. 6418 D.C.S., dated the 30th April, 1945 (published in the "Calcutta Gazette" of the 3rd May, 1945, Pt. I, p. 718).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to direct that the said Order shall extend to the areas specified in the Schedule below.

#### **The Schedule.**

(1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing jurisdiction list No. 280 in the C.S. khatians within the police-station Tejgaon in the said district.

(2) The municipality of Narayangunj in the district of Dacca.

*Notification No. 9904 D. C. S., dated the 23rd July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 25th July, 1945, p. 180).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below:—

#### **The Schedule.**

(1) The part of mauza No. 286 Rajarbag covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(2) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

(3) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district Fatulla in the district of Dacca.

(4) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 with the police-station Fatulla in the district of Dacca.

(5) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(6) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(7) The premises of—

- (a) the Lakhsinarayan Cotton Mills, Limited,
- (b) the Narayangunj Company, Limited,
- (c) the Chittaranjan Cotton Mills, Limited,
- (d) the Dhakeswari Cotton Mills No. 2, Limited,
- (e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,
- (f) the Dhakeswari Cotton Mills No. 1, Limited, and
- (g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Lakshmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(8) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502 in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

*Notification No. 12079 D. C. S., dated the 25th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945, p. 221).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below:—

### **The Schedule.**

(1) The municipality of Comilla in the district of Tippera.

(2) The part of mauza Sashangachha bearing jurisdiction list No. 447 covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519, within the police-station Kotwali in the district of Tippera.

(3) The part of mauza Dharampore bearing jurisdiction list No. 227 covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 14138 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 287).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below :—

#### **The Schedule.**

(1) The municipality of Darjeeling including Lebong Cantonment and Jalapahar Contonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the north, east and west by the Pandam Tea Gardens and on the south by the municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the north by the municipality of Darjeeling, on the east by Kotwali Jhora, on the west by Kag Jhora and on the south by the Arya Tea Gardens.

*Notification No. 14140 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 287).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below :—

#### **The Schedule.**

(1) The municipality of Kalimpong in the district of Darjeeling.

(2) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(3) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(4) The whole of the Mongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(5) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

*Notification No. 14142 D. C. S., dated the 28th December, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 287).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below :—

#### **The Schedule.**

(1) The municipality of Kurseong in the district of Darjeeling.



(2) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(3) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(4) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus' School compound, on the south by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(5) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(6) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhua Tea Estate within the police-station Kurseong in the district of Darjeeling.

(7) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(8) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

*Notification No. 14144 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, Pt. I, p. 288).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to extend the said Order to the municipality of Chittagong.

*Notification No. 583(LL), dated the 1st May, 1945 (published in the "Calcutta Gazette" of the 3rd May, 1945, Pt. I, p. 720).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer having jurisdiction in any area specified in the Schedule to the notification No. 6419D.C.S., dated the 30th April, 1945, to be the Officer to whom true and correct information required under the said notification shall be furnished by persons owning or in charge of establishments in such area.

*Notification No. 12080 D. C. S., dated the 25th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945, p. 221).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to fix the 10th day of October 1945 as the date not later than which a person owning or in charge of an establishment in the areas specified in the Schedule below shall furnish under the said paragraph in duplicate true and correct information in respect of such establishment in any of the forms specified in Schedule III to the said Order which is appropriate to it:—

### **The Schedule.**

(1) The municipality of Comilla in the district of Tippera.

(2) The part of mauza Sashangachha bearing jurisdiction list No. 447 covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) The part of mauza Dharampore bearing jurisdiction list No. 227 covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 1169 (LL), dated the 26th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945, p. 224).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer having jurisdiction in the area specified in the Schedule to the notification No. 12080 D.C.S., dated the 25th September, 1945, to be the officer to whom true and correct information required under the said notification shall be furnished by persons owning or in charge of establishments in such area.

*Notification No. 14139 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 287).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to fix the 15th day of December, 1945, as the date not later than which a person owning or in charge of an establishment in the areas specified in the Schedule below shall furnish under the said paragraph in duplicate true and correct information in respect of such establishment in any of the forms specified in Schedule III to the said Order which is appropriate to it:—

### **The Schedule.**

(1) The municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Chittagong.

(2) The area known as Fulbari Bustee bounded on the north, east and west by the Pandam Tea Gardens and on the south by the municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the north by the municipality of Darjeeling, on the east by Kotwali Jhora, on the west by Kag Jhora and on the south by the Arya Tea Gardens.

*Notification No. 14141 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 287).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to fix the 15th day of December, 1945, as the date not later than which a person owning or in charge of an establishment in the areas specified in the Schedule below shall furnish under the said paragraph in duplicate true and correct information in respect of such establishment in any of the forms specified in Schedule III to the said Order which is appropriate to it:—

### **The Schedule.**

- (1) The municipality of Kalimpong in the district of Darjeeling.
- (2) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (3) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (4) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (5) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (6) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (7) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (8) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

*Notification No. 14145 D. C. S., dated the 28th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 288).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, the Governor is pleased to fix the 15th day of December, 1945, as the date not later than which a person owning or in charge of an establishment in the municipality of Chittagong shall furnish under the said paragraph in duplicate true and correct information in respect of such establishment in any of the forms specified in Schedule III to the said Order which is appropriate to it.

*Notification No. 1292(L.L.), dated the 29th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 288).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer of Darjeeling to be the officer to whom true and correct information required under the said paragraph shall be furnished by persons owning or in charge of establishments in any area specified in the Schedule to the notification No. 14139D.C.S., dated the 28th November, 1945.

*Notification No. 1293(L.L.), dated the 29th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 288).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer of Kalimpong to be the officer to whom true and correct information required under the said paragraph shall be furnished by persons owning or in charge of establishments in any area specified in the Schedule to the notification No. 14141D.C.S., dated the 28th November, 1945.

*Notification No. 1294(L.L.), dated the 29th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 288).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer of Kurseong to be the officer to whom true and correct information required under the said paragraph shall be furnished by persons owning or in charge of establishments in any area specified in the Schedule to the notification No. 14143D.C.S., dated the 28th November, 1945.

*Notification No. 1295 (L.L.), dated the 29th November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd December, 1945, p. 288).*

In pursuance of paragraph 3 of the Bengal Rationing (Establishments) Inquiry Order, 1943, I hereby specify the Town Rationing Officer of Chittagong in respect of the municipality of Chittagong to be the officer to whom true and correct information required under the said paragraph shall be furnished by persons owning or in charge of establishments in the municipality of Chittagong.

*Notification No. 1616(D.C.), dated the 2nd November, 1943 (published in the "Calcutta Gazette" of the 4th November, 1943, Pt. I, p. 1559).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules and of all other powers enabling him in that behalf, the Governor is pleased to make the following Order, namely:—

## **The Bengal Rationing Order, 1943.**

### **PART I.**

#### *Preliminary.*

1. (1) This Order may be called the Bengal Rationing Order, 1944. Short title, extent and commencement.
- (2) It extends to the whole of Bengal.
- (3) It shall come into force in such areas and on such dates as the Provincial Government may by notification in the *Official Gazette* direct.
2. In this Order, unless there is anything repugnant in the subject or context,— Definitions.
  - (1) "appointed wholesaler" means a wholesale dealer appointed under the provisions of paragraph 3 in respect of any rationed article and includes a person in charge of a godown in which any such rationed article is stored for sale or distribution;

- (2) "appointed retailer" means a retail dealer appointed under the provisions of paragraph 3 in respect of any rationed article and includes a person in charge of a godown in which any such rationed article is stored for sale or distribution;
- (3) "appointed establishment proprietor" means the proprietor of an establishment appointed under the provisions of paragraph 3 and includes any other person owning, managing or having control of an establishment so appointed;
- (4) (i) "catering establishments" mean hotels, restaurants, eating houses, cafes, tea shops, coffee stalls, free feeding centres, clubs, canteens and include all other places open to the public or to any limited class of the public of a like nature where food or refreshment is consumed or procurable;
- (ii) "institutions" mean hospitals, sanatoria, convalescent homes, nursing homes, orphanages, workhouses, infirmaries, asylums, schools providing meals and include all other establishments of a like nature;
- (iii) "residential establishments" mean boarding houses, apartment houses, residential hotels, residential clubs, hostels, nurses' homes, schools and include all other establishments of a like nature but do not include private households;
- (iv) "manufacturing establishments" mean bakeries, confectioneries and include all other establishments of a like nature;
- (v) "mills" <sup>1</sup>[in respect of a rationed article not being kerosene mean flour mills], rice mills and include all other establishments of a like nature;
- (vi) "animal establishments" mean stables for horses or cattle, poultry farms, zoos, menageries, veterinary hospitals, *pinjrapoles* and include all other establishments where animals are maintained;
- (5) <sup>2</sup>[(a) "establishment" means in respect of a rationed article being kerosene all the establishments referred to in clause (4) of paragraph 2 of the Bengal Kerosene Rationing (Establishments) Preparatory Inquiry Order, 1945;]
- (b) "establishment" <sup>1</sup>[in respect of a rationed article not being kerosene means all the establishments,] referred to in sub-clauses (i) to (vi) of clause (4) and includes all establishments other than private households providing food for consumption but does not include establishments which are controlled or managed by any person belonging or

<sup>1</sup>Substituted by notification No. 1323D.C.S., dated the 26th January, 1945.

<sup>2</sup>Inserted, *ibid.*

attached to, or employed with, His Majesty's Forces or by any person belonging or attached to, or employed with, the Forces of the nations in alliance with His Majesty and which provide food to the members of the said Forces for consumption;

<sup>1</sup>(6) "establishment consumption"—

(a) in respect of a rationed article not being kerosene means all consumption of such article supplied by an establishment referred to in sub-clause (b) of clause (5) for consumption in the premises or elsewhere,

(b) in respect of a rationed article being kerosene means consumption of kerosene in establishments referred to in sub-clause (a) of clause (5) for operational purposes;

<sup>1</sup>(7) "household consumption"—

(a) in respect of a rationed article not being kerosene means all consumption of such article other than establishment consumption referred to in sub-clause (a) of clause (6), and

(b) in respect of a rationed article being kerosene means consumption of kerosene in premises used for residence or both for residence and business or in vehicles, boats, oil-burning stoves or refrigerators;

(8) "prescribed" means prescribed by regulations made under this Order;

(9) "rationed article" means any article which the Provincial Government may by notification in the *Official Gazette* in respect of any area specify to be a rationed article;

(10) "rationed area" means in relation to any rationed article the area in respect of which that article has been specified to be a rationed article under clause (9);

(11) "rationing date" means in relation to any rationed article such date as may be fixed by the Provincial Government in respect of any area for the commencement of rationing of that article in that area;

(12) "ration document" includes a ration book, a ration card or any part of any ration book or ration card or any ration coupon or any declaration, authority, permit, or other document issued or made under or in pursuance of the provisions of this Order.

---

<sup>1</sup>Substituted by notification No. 1323D.C.S., dated the 26th January, 1945.

## PART II.

*Distribution and supply of rationed articles.*

Authority to  
wholesale dealers,  
retail dealers and  
persons owning,  
managing or  
having control of  
establishments  
to supply  
rationed articles  
in rationed areas.

3. (1) With a view to controlling the distribution of any rationed article, the Provincial Government, in respect of any rationed area or any part thereof, may by order appoint any department of or authority under the Central or Provincial Government or any person being a wholesale dealer, a retail dealer or owning or managing or having control of an establishment to be, as the case may require, a wholesale dealer, retail dealer or establishment proprietor in respect of such rationed article for the purposes of this Order, and thereupon such department, authority, wholesale dealer, retail dealer or establishment proprietor shall be entitled to supply in accordance with the provisions of this Order and any regulations made thereunder such rationed article within such rationed area or part thereof.

(2) The Provincial Government may by order appoint any employer of labour in any trade or industry or any association of employers of labour in any trade or industry or any other committee or body, whether incorporated under any law for the time being in force or not, or any local authority, which undertakes in writing to the satisfaction of the Provincial Government the management of any scheme or organisation for the feeding of labour or employees or any class of labour or employees, with or without the families of such labour or employees, to be in respect of any rationed article a wholesale dealer or a retail dealer for the purposes of this Order, and also may appoint the manager or other person in charge of any shop, canteen, store or other distributing agency established under such scheme or organisation to be in respect of any rationed article a retail dealer for the purposes of this Order, and thereupon such employer of labour, association of employers of labour, committee, body, local authority, manager or person in charge of such shop, canteen, store or other distributing agency shall be entitled to supply, in accordance with the provisions of this Order and any regulations made thereunder, such rationed article to such labour or employees.

(3) Any appointment made under sub-paragraph (1) shall specify the rationed article and the limits of the rationed area or part thereof in respect of which it is made, and any appointment made under sub-paragraph (2) shall specify the rationed article in respect of which it is made and the labour, class of labour or employees to whom the rationed article is to be supplied.

<sup>1</sup>(3a) The Provincial Government may by order appoint any company or other body, whether incorporated under any law for the time being in force or not, owning, managing or having control of any vessels to be in respect of any rationed article a wholesale dealer for the purposes of this Order and also appoint the Master or other person in charge of a vessel

to be in respect of such rationed article the proprietor of an establishment for the purposes of this Order and thereupon any such company shall be entitled to supply such rationed article to such Master or other person and any such Master or other person in charge of a vessel shall be entitled to supply such rationed article to the crews of such vessel in accordance with the provisions of this Order and any Regulations made thereunder and any appointment made under this paragraph shall specify the rationed article and the vessel or vessels in respect of which it is made.

*Explanation.*—In this sub-paragraph "vessel" means any vessel to which any of the provisions of the Inland Steam-vessels Act, 1917, applies and includes a flat or barge.

(4) The Provincial Government may, at any time, amend, vary or revoke any appointment made under this paragraph whether any application in this behalf has been made by the holder of the appointment or not and without assigning any reason, and in every such case the holder of the appointment shall be bound to surrender, on demand, to the Provincial Government the order of appointment for endorsement or cancellation, as the case may be.

4. No person other than an appointed wholesaler, an appointed retailer, or an appointed establishment proprietor shall, on and after the rationing date, supply or offer or attempt to supply, or knowingly permit to be supplied by any agent or servant of such person any rationed article to any person in any rationed area in which such article is rationed.

Prohibition of supply of rationed article by persons other than an appointed wholesaler, an appointed retailer or an appointed establishment proprietor.

5. No appointed wholesaler shall, on and after the rationing date, supply or offer or attempt to supply, or knowingly permit to be supplied by any agent or servant of such wholesaler any rationed article in any rationed area in which such article is rationed to any person other than a person who is an appointed retailer or an appointed establishment proprietor<sup>1</sup> [or the proprietor, manager or person in charge of an establishment referred to in sub-clause (a) of clause (5) of paragraph 2, as the case may be] and except under and in accordance with the provisions of this Order and of the regulations made thereunder.

Supply by appointed wholesalers

6. No appointed retailer or appointed establishment proprietor shall, on and after the rationing date, supply or offer or attempt to supply, or knowingly permit to be supplied by any agent or servant of such retailer or proprietor, any rationed article in any rationed area in which such article is rationed except for household consumption or establishment consumption<sup>1</sup> [referred to in sub-clause (a) of clause (6) of paragraph 2] and except under and in accordance with the provisions of this Order and of the regulations made thereunder.

Supply by appointed retailers

<sup>1</sup>Inserted by notification No. 1323D.C.S., dated the 26th January, 1946.



**Prohibition of obtaining rationed article in a rationed area otherwise than for household or establishment consumption.**

**7.** No person shall, on and after the rationing date, in a rationed area in which an article is rationed obtain or attempt to obtain such rationed article except for household consumption or for establishment consumption or in connection therewith and except under and in accordance with the provisions of this Order and of the regulations made thereunder.

**Exceptions.**

**8.** The provisions contained in this Part shall not apply in distribution by any person of any rationed article lawfully obtained by him—

(a) to members of the same household to which he belongs or to guests sharing meals in such household; or

(b) to any other person either without payment of price of such rationed article or in exchange for any other rationed article.

### PART III.

#### *Ration Documents.*

**Supply of rationed article to be only by means of a ration document.**

**9.** Except as otherwise provided by this Order, a rationed article shall be obtained, on and after the rationing date, only by means of a ration document available for lawful use and lawfully used, and only up to the quantity in relation to that article as specified, or as represented by the units specified on the ration document.

**Power to Provincial Government to issue ration documents.**

**10.** (1) The Provincial Government may, with a view to controlling the distribution or supply of or any other dealing with, any rationed article, issue or cause to be issued to any person or class of persons or to the public generally in any area ration documents for the purpose of rationing of such article.

(2) Every ration document under this Order shall be issued in the prescribed manner and form to such persons and shall be subject to such terms and conditions as may be prescribed and a receipt for every such document shall be given in the prescribed manner by the person to whom it is issued.

(3) The Provincial Government in respect of any rationed area may, at any time, add to, amend, vary or rescind any ration document whether any application in this behalf is made by the person to whom such document is issued or not and without assigning any reason and in every such case the holder of the ration document shall be bound to surrender the same on demand to the Provincial Government for endorsement or cancellation, as the case may be.

**10A.** (1)(a) When a person brings under paragraph 3 of the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944, any essential foodstuff into any area in which the said Order is in force, the Provincial Government or any Officer

<sup>1</sup>Substituted by notification No 8932D.C.S., dated the 5th September 1944.

authorised by the Provincial Government in this behalf shall cancel to the extent of the quantity so brought any ration document issued to such person in respect of such foodstuff, and every person shall be bound to surrender on demand such ration document to the Provincial Government or to the Officer so authorised by the Provincial Government for such cancellation.

(b) When a person has in his possession or under his control any essential foodstuff in excess of the normal quantity of such foodstuff allowable under the provisions of the said Order otherwise than by bringing such foodstuff under paragraph 3 of the said Order—

(i) under a licence issued under paragraph 4 of the said Order, or

(ii) in contravention of the provisions of the said Order,

the Provincial Government or any Officer authorised by the Provincial Government in this behalf shall cancel to the extent of such excess any ration document issued to such person in respect of such foodstuff and every person shall be bound to surrender on demand such ration document to the Provincial Government or to the Officer so authorised by the Provincial Government for such cancellation.

(2) The expressions "essential foodstuff" and "normal quantity" have the same meanings in this paragraph as in the Bengal Essential Foodstuffs Anti-Hoarding Order, 1944.

**10B.** When a person has in his possession or under his control any salt in excess of the normal quantity allowable under the provisions of the Calcutta Industrial Area Salt Control Order, 1944, under a consumer's licence issued under paragraph 4 of the said Order, or in contravention of the provisions of the said Order, the Provincial Government or any officer authorised by the Provincial Government in this behalf shall cancel to the extent of such excess any ration document issued to such person in respect of salt, and every such person shall be bound to surrender on demand such ration document to the Provincial Government or to the officer so authorised by the Provincial Government, for such cancellation.

**11.** (1) A ration document shall not be available for lawful use except when it is used by or on behalf of the person in respect of whom it is issued.

Availability and prohibition of transfer of ration documents.

(2) No person shall transfer to any other person any ration document issued in respect of himself under the provisions of this Order.

**12.** Every ration document issued under this Order shall be the property of the Provincial Government but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order or the regulations made thereunder shall be entitled to its custody and shall be responsible for its safe custody.

Ration documents to remain the property of Provincial Government.

Replacement of defaced, lost or destroyed ration documents.

**13.** (1) If any ration document be defaced, lost or destroyed, the officer authorised by the Provincial Government in respect of any area in this behalf may after making such inquiry as he may think fit issue a new ration document in place thereof <sup>1</sup>[on payment of a fee of two annas].

(2) Where a new ration document is issued under subparagraph (1) in place of a lost ration document it shall be the duty of the person to whom the new ration document has been issued if he subsequently finds the lost ration document to return the lost ration document forthwith to the officer by whom it was issued.

Return of ration documents by person in unauthorised possession thereof.

**14.** When any person is in possession of a ration document and such possession is not authorised by or under this Order, he shall forthwith deliver the same to the officer in charge of the nearest rationing office.

Cancellation of ration documents.

**15.** Where any ration coupon or other ration document is required to be cancelled under or for the purposes of this Order, it shall be cancelled by the competent authority in ink (whether by means of a die or stamp or otherwise) or by names of indelible pencil and where it is not possible to cancel it in any of these methods it shall be cancelled by the competent authority in such manner as the said authority considers suitable and every ration coupon or other ration document shall upon such cancellation cease to be available for lawful use.

#### PART IV.

##### *Regulations.*

Power to make regulations.

**16.** (1) The Provincial Government may by notification in the *Official Gazette* make regulations for the purpose of giving effect to the provisions of this Order.

(2) Without prejudice to the generality of the foregoing power, such regulations may provide for—

(a) the manner in which, and the conditions subject to which, any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith, and in particular for,—

(i) the kind of ration document which shall be issued in any particular case or class of cases;

(ii) the manner in which any ration document may be used for supplying or obtaining or keeping or otherwise dealing with any rationed article including the manner in which, and the conditions subject to which, such document may be registered with any appointed wholesaler, appointed retailer or appointed establishment proprietor;

(iii) the period for which any ration document or part thereof shall be valid;

<sup>1</sup>Added by notification No. 2229D.C.S., dated the 20th March, 1944.

<sup>2</sup>Substituted by notification No. 11753D.C.S., dated the 12th December, 1944.

(iv) the number of units to be allotted to any person, class of persons or to the public generally;

(v) the quantity which a unit shall from time to time represent in relation to any rationed article, whether separately for that article or in combination with other articles;

(vi) the conditions subject to which the appointed wholesaler, appointed retailer, or appointed establishment proprietor may obtain any supply of any rationed article;

(vii) the conditions subject to which the supply or distribution of any rationed article, whether or not for household consumption or establishment consumption may be authorised otherwise than by means of a ration document; and

(viii) any other matter connected with the distribution of any rationed article in any rationed area;

<sup>1</sup>(aa) controlling the prices of rationed articles within any rationed area;

(b) the manner and the forms in which, and the persons to whom and the terms and conditions subject to which, ration documents shall be issued and the manner in which receipts in respect of ration documents are to be given.

17. For the purposes of sub-rule (4) of rule 81 of the Defence of India Rules any contravention of any regulation made under paragraph 16 of this Order shall be deemed to be a contravention of this Order.

Contravention of a regulation deemed to be a contravention of this Order.

## PART V.

### *Miscellaneous.*

18. Every appointed wholesaler, appointed retailer, or appointed establishment proprietor, as the case may be, when so required by any officer authorised by the Provincial Government in this behalf, shall—

(1) surrender to the said officer all coupons and other authorities and documents delivered to such appointed wholesaler, appointed retailer, or appointed establishment proprietor under or for the purposes of this Order; and

(2) furnish such particulars, accounts and information relating to his dealings in and stocks of any rationed article as may be required.

Surrender of ration documents and rendering of accounts and information by appointed wholesalers, appointed retailers and appointed establishment proprietors.

19. Notwithstanding any other provisions of this Order, the Provincial Government may subject to such conditions as may be prescribed authorise the supply or distribution of any rationed article otherwise than on a ration document and whether or not for household consumption, or establishment consumption.

Power to authorise supply and distribution of rationed articles otherwise than by means of ration documents.

20. The Provincial Government may by general or special order exempt any person or class of persons from the operation of all or any of the provisions of this Order and may at any time in like manner suspend or cancel any such exemption.

Exemptions.

**Power to enter and inspect premises and to require information, accounts, etc.**

**21.** (1) Any person authorised by the Provincial Government in this behalf may,—

(a) enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of any rationed article or the premises of any establishment and inspect any such premises and any rationed article therein or thereon;

(b) require any person to make any statement or furnish any information or to produce any document or article in his possession or under his control relating to the purchase, sale, distribution or storage of any rationed article and every person so required shall comply with such requisition;

(c) require any person to render any account or to produce books, accounts or other documents relating to, or believed to be relating to, the purchase, sale, distribution or storage of any rationed article and every person so required shall comply with such requisition;

(d) take or cause to be taken extracts from or copies of any document relating to the purchase, sale, distribution or storage of any rationed article which is produced under clause (b) or clause (c) or otherwise found in any such premises;

(e) test or cause to be tested the correctness of any weight or measure used or believed to be used in any transaction relating to the sale or distribution of any rationed article;

(f) take or cause to be taken the weight of all or any of the rationed articles found in any such premises:

Provided that in entering upon and inspecting any premises the person so authorised shall have due regard to the social and religious customs of the persons occupying the premises.

(2) The powers exercisable under this paragraph shall not be exercised except for the purpose of securing compliance with the provisions of this Order or of any regulations made thereunder.

**Delegation of powers by the Provincial Government.**

**22.** The Provincial Government may, by general or special order, delegate any of the powers conferred on it by paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 to any officer subordinate to it or to any other person.

*Notification No. 2216D.C.S., dated the 1st December, 1943 (published in the "Calcutta Gazette" of the 2nd December, 1943, Pt. 1, p. 1755).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 2nd December, 1943, in the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (ii) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank:

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of the 24-Parganas; and

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 160D.C.S., dated the 10th January, 1944 (published in the "Calcutta Gazette" of the 13th January, 1944, Pt. I, p. 40).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 15th January, 1944, in the areas specified in the Schedule below:—

#### **Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khurdah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansheria in the district of Hooghly.

*Notification No. 8693D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 215).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 4th September, 1944, in the area specified in the Schedule below:—

#### **Schedule.**

The mauza of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 9903D.C.S., dated the 23rd July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 25th July, 1945, p. 179).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the date of the publication of this notification in the *Official Gazette* in the areas specified in the Schedule below:—

#### **The Schedule.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing J. L. No. 280 in the C. S. khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the Lakhsinarayan Cotton Mills, Limited,

(b) the Narayangunj Company, Limited,

(c) the Chittaranjan Cotton Mills, Limited,

(d) the Dhakeswari Cotton Mills, No. 2, Limited,

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,

(f) the Dhakeswari Cotton Mills, No. 1, Limited, and

(g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502, in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

*Notification No. 12836D.C.S., dated the 24th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1773).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 5th day of November, 1945, in the areas specified in the Schedule below:—

### **The Schedule.**

(1) The municipality of Comilla in the district of Tippera.

(2) So much of mauza Sashangachha bearing jurisdiction list No. 447 as is covered by C. S. plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) So much of mauza Dharampore, bearing jurisdiction list No. 227 as is covered by C. S. plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali, in the district of Tippera.

*Notification No. 14244D.C.S., dated the 1st December, 1945 (published in the "Calcutta Gazette" of the 6th December, 1945, Pt. I, p. 2031).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 1st January, 1946, in the area specified in the Schedule below:—

#### **The Schedule.**

Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340, in police-station Tejgaon in the district of Dacca.

*Notification No. 1573D.C.S., dated the 31st January, 1946 [published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. (i)].*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 11th day of February, 1946, in the municipality of Chittagong.

*Notification No. 2816D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary," of the 9th March, 1946, p. I).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Rationing Order, 1943, the Governor is pleased to direct that the said Order shall come into force on the 11th March, 1946, in the areas specified in the Schedule below:—

#### **The Schedule.**

(1) The municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the north, east and west by the Pandam Tea Gardens and on the south by the municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the north by the municipality of Darjeeling, on the east by Kotwali Jhora, on the west by Kag Jhora, and on the south by the Arya Tea Gardens.

(4) The municipality of Kalimpong in the district of Darjeeling.

(5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Bhabubhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.



(9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

(12) The municipality of Kurseong in the district of Darjeeling.

(13) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(15) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus' School compound, on the south by St. Helen's *Jhora*, Dow Hill Road and northern Dow Hill School compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(16) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

*Notification No. 387D.C.S., dated the 18th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 70).*

In exercise of the power conferred by sub-paragraph (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the areas specified in Schedule II below:—

#### **Schedule I.**

##### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour and bread).
- (3) Sugar.

### Schedule II.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3509D.C.S., dated the 26th April, 1944 (published in the "Calcutta Gazette, of the 27th April, 1944, Pt. I, p. 465).*

In exercise of the power conferred by sub-paragraph (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the areas specified in Schedule II below:—

#### Schedule I.

##### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour and bread).
- (3) Sugar.

#### Schedule II.

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 8701D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 216).*

In exercise of the power conferred by sub-paragraph (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the area specified in Schedule II below:—

#### Schedule I.

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour, bread and *suji*).
- (3) Sugar.

#### Schedule II.

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 8803D.C.S., dated the 1st September, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 216).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify "Salt" except the varieties of salt specified in Schedule I below to be a rationed article in respect of the areas specified in Schedule II below:—

### **Schedule I.**

(1) Rice husked and in the husk.

<sup>1</sup>(2) Parrot Brand of Table Salt manufactured by Sencose Products at premises No. 10, Crooked Lane or at premises No. 32, Dixon Lane, Calcutta.

<sup>2</sup>(3) Ship Brand Table Salt manufactured by Messrs. Confederation Trading Co. of 17/1, Sankaritola Street, Calcutta, and sold in cardboard cartons of 1 lb. size.

### **Schedule II.**

(1) The Calcutta Industrial Areas as defined in the Calcutta Industrial Area Rationing Regulations, 1943.

(2) The Calcutta Industrial (Extended) Area as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10214D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 190).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the areas specified in Schedule II below:—

### **Schedule I.**

#### *Rationed articles.*

(1) Rice husked and in the husk.

(2) Wheat and wheat products (*atta* and flour).

(3) Sugar.

(4) Salt except Rock Salt (*Saindhab*).

### **Schedule II.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing J. L. No. 280 in the C. S. khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

<sup>1</sup>Added by notification No. 11116D.C.S., dated the 21st November, 1944.

<sup>2</sup>Added by notification No. 6694D.C.S., dated the 7th May, 1945.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

- (a) the Lakhsinarayan Cotton Mills, Limited,
- (b) the Narayangunj Company, Limited,
- (c) the Chittaranjan Cotton Mills, Limited,
- (d) the Dhakeswari Cotton Mills, No. 2, Limited,
- (e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,
- (f) the Dhakeswari Cotton Mills, No. 1, Limited, and
- (g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502, in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

*Notification No. 12202D.C.S., dated the 27th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945, p. 222).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify "Mustard Oil" to be a rationed article in respect of the areas specified in Schedule I below:—

[*Explanation.*—In this notification "Mustard Oil" means oil manufactured by any process of crushing any of the varieties of mustard or rape seeds specified in Schedule II below.]

**Schedule I.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally in the district of Howrah.

(5) The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

**Schedule II.**

*Varieties of mustard or rape seed.*

- |                           |                     |
|---------------------------|---------------------|
| (i) Sarson.               | (ix) Rai.           |
| (ii) Pili Sarson.         | (x) Rawa.           |
| (iii) Lal Sarson.         | (xi) Tora.          |
| (iv) Lotni.               | (xii) Gajar Sarson. |
| (v) Lahi.                 | (xiii) Galbalia.    |
| (vi) Maghi lahia or lahi. | (xiv) Toria.        |
| (vii) Laha.               | (xv) Kajli.         |
| (viii) Lahta.             |                     |

*Explanation.*—In botanical nomenclature, the above seeds are included within the following groups:—

*Brassica Campestris, Brassica Napur, Brassica Juncea and Eruca sativa.*

*Notification No. 12882D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1763).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the areas specified in Schedule II below:—

**Schedule I.**

*Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

**Schedule II.**

- (1) The municipality of Comilla in the district of Tippera.

(2) So much of *mauza* Sashangachha bearing jurisdiction list No. 447 as is covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) So much of *mauza* Dharampore, bearing jurisdiction list No. 227 as is covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 14245 D.C.S., dated the 1st December, 1945 (published in the "Calcutta Gazette" of the 6th December, 1945, Pt. I, p. 2031).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the area specified in Schedule II below:—

### **Schedule I.**

#### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (*atta* and flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

### **Schedule II.**

Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 34 in police-station Tejgaon in the district of Dacca.

*Notification No. 1326 D.C.S., dated the 26th January, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1946, p. vi).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify "Kerosene" to be a rationed article in respect of the areas specified in the Schedule below:—

### **The Schedule.**

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

2. the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

3. the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas,

4. the municipalities of Howrah and Bally in the district of Howrah; and

5. the mauza of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5, within police-station Shibpore in the district of Howrah;

6. the municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, and (15) Kanchrapara and also the Barrackpore cantonment in the district of 24-Parganas;

7. the municipalities of (1) Uttara para, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 1574D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. i).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in the Schedule below to be the rationed articles in respect of the municipality of Chittagong:—

### **The Schedule.**

#### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (flour).
- (3) Sugar.

*Notification No. 2817D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. i).*

In exercise of the power conferred by clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to specify the articles mentioned in Schedule I below to be the rationed articles in respect of the areas specified in Schedule II below:—

### **Schedule I.**

#### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (*atta* and flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

### **Schedule II.**

(1) The Municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the North, East and West by the Pandam Tea Gardens and on the South by the Municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the North by the Municipality of Darjeeling, on the East by Kotwali *Jhora*, on the West by Kag *Jhora* and on the South by the Arya Tea Gardens.

(4) The Municipality of Kalimpong in the district of Darjeeling.

(5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

(12) The Municipality of Kurseong in the district of Darjeeling.

(13) The area known as Kharee Bustee bounded on the North by the Dilaram Tea Estate, on the West by the Ringtong Tea Estate, on the South by uncultivated land and on the East by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the East by forest land within the police-station Kurseong in the district of Darjeeling.

(15) The area known as St. Mary's Bustee bounded on the North by *Jhora* No. 501, on the West by the Hill Cart Road and eastern boundary of St. Alphonsus' School Compound, on the South by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School Compound and on the East by forest land within the police-station Kurseong in the district of Darjeeling.

(16) The area known as Burbong Bustee bounded on the North by the Castleton Tea Estate and forest land, on the West and South by the strip of land separating Burbong Bustee from Upper Giddapahar and on the East by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the West by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the South by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the East by the Hill Cart Road, within the police-station Kurseong in the district of Darjeeling.

*Notification No. 388D.C.S., dated the 18th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 61).*

In exercise of the power conferred by sub-paragraph (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the



31st day of January, 1944, as the rationing date in relation to the rationed articles specified in Schedule I below for the commencement of rationing of such articles in respect of the areas specified in Schedule II below:—

**Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour and bread).
- (3) Sugar.

**Schedule II.**

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the Municipalities of Garden Reach and Tollygunj in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3510D.C.S., dated the 26th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 465).*

In exercise of the power conferred by sub-paragraph (II) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 1st day of May, 1944, as the rationing date in relation to the rationed articles specified in Schedule I below for the commencement of rationing of such articles in respect of the areas specified in Schedule II below:—

**Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour and bread).
- (3) Sugar.

**Schedule II.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 8702D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th November, 1944, p. 216).*

In exercise of the power conferred by sub-paragraph (II) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 4th day of September, 1944, as the rationing date in relation to the rationed articles specified in Schedule I below for the commencement of rationing of such articles in respect of the area specified in Schedule II below:—

**Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (including *atta*, flour, bread and *suji*).
- (3) Sugar.

**Schedule II.**

The mauza of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 8804D.C.S., dated the 1st September, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 216).*

In exercise of the power conferred by clause (II) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 4th day of September, 1944, as the rationing date in relation to the rationed articles specified in Schedule I below for the commencement of rationing of such articles in respect of the area specified in Schedule II below:—

**Schedule I.**

Salt except Rock Salt (*Saindhab*).

**Schedule II.**

(1) The Calcutta Industrial Area as defined in the Calcutta Industrial Area Rationing Regulations, 1943.

(2) The Calcutta Industrial (Extended) Area as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10215D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 190).*

In exercise of the power conferred by clause (II) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 6th day of August 1945, as the rationing date in relation to the rationed articles specified in Schedule I below in respect of the areas specified in Schedule II below for the commencement of rationing of such articles in the said areas:—

**Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (*atta* and flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

**Schedule II.**

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing J. L. No. 280 in the C. S. Khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C. S. plot Nos. 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayanguj in the district of Dacca.

(2) The part of mauza Masdair bearing J. L. No. 191 covered by C. S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J. L. No. 192 covered by C. S. plot Nos. 167, 174 to 186, 189 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J. L. No. 189 covered by C. S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

- (a) the Lakhsinarayan Cotton Mills, Limited,
- (b) the Narayangunj Company, Limited,
- (c) the Chittaranjan Cotton Mills, Limited,
- (d) the Dhakeswari Cotton Mills, No. 2, Limited,
- (e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,
- (f) the Dhakeswari Cotton Mills, No. 1, Limited, and
- (g) the Bose's Glass Factory

covered by C. S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J. L. No. 204 within the police-station Fatulla, C. S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Lakshmankhola bearing J. L. No. 206 within the police-station Narayangunj and C. S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J. L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of the Landale and Clarke and Company covered by C. S. plot Nos. 494 and 502, in mauza Madangunj bearing J. L. No. 252 within the police-station Narayangunj in the district of Dacca.

*Notification No. 12203D.C.S., dated the 27th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 29th September, 1945, p. 222).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 1st day of October 1945, as the rationing date in relation to the rationed article specified in Schedule I below for the commencement of rationing of such article in respect of the areas specified in Schedule II below:—

#### **Schedule I.**

Mustard oil.

#### **Schedule II.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;

(4) the municipalities of Howrah and Bally in the district of Howrah; and

(5) the *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 12883D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1763).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 5th day of November, 1945, as the rationing date in relation to the rationed articles specified in Schedule I below in respect of the areas specified in Schedule II below for the commencement of rationing of such articles in the said areas—

#### **Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

#### **Schedule II.**

(1) The municipality of Comilla in the district of Tippera.

(2) So much of *mauza* Sashangachha bearing jurisdiction list No. 447 as is covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) So much of *mauza* Dharampore bearing jurisdiction list No. 227 as is covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 14246D.C.S., dated the 1st December, 1945 (published in the "Calcutta Gazette" of the 6th December, 1945, Pt. I, p. 2031).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 4th day of February, 1946, as the rationing date in relation to the rationed articles specified in Schedule I below in respect of the area specified in the Schedule II below for the commencement of rationing of such articles in the said area:—

#### **Schedule I.**

##### *Rationed articles.*

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (*atta* and flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

#### **Schedule II.**

Village Saydabad within *mauza* Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

*Notification No. 1327 D.C.S., dated the 26th January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1946, p. vi).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 28th day of January 1946 as the rationing date in relation to the rationed article specified in Schedule I below for the commencement of rationing of such article in respect of the areas specified in Schedule II below :—

### **Schedule I.**

Kerosene.

### **Schedule II.**

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

2. the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

3. the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;

4. the municipalities of Howrah and Bally in the district of Howrah; and

5. the *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah;

6. the municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halishahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas;

7. the municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 1575 D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. i).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 11th day of February 1946 as the rationing date in relation to the rationed articles specified in the Schedule below in respect of the municipality of Chittagong for the commencement of rationing of such articles in the said area :—

### **The Schedule.**

- (1) Rice husked and the husk.
- (2) Wheat and wheat products (flour).
- (3) Sugar.

*Notification No. 2818 D.C.S., dated the 27th February, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1945, p. ii).*

In exercise of the power conferred by clause (11) of paragraph 2 of the Bengal Rationing Order, 1943, the Governor is pleased to fix the 11th day of March 1946 as the rationing date in relation to the rationed articles specified in Schedule I below in respect of the areas specified in Schedule II below for the commencement of rationing of such articles in the said areas:—

#### **Schedule I.**

- (1) Rice husked and in the husk.
- (2) Wheat and wheat products (*atta* and flour).
- (3) Sugar.
- (4) Salt except Rock Salt (*Saindhab*).

#### **Schedule II.**

(1) The Municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the North, East and West by the Pandam Tea Gardens and on the South by the Municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the North by the Municipality of Darjeeling, on the East by Kotwali *Jhora*, on the West by *Kag Jhora* and on the South by the Arya Tea Gardens.

(4) The Municipality of Kalimpong in the district of Darjeeling.

(5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

(12) The Municipality of Kurseong in the district of Darjeeling.

(13) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(15) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of

St. Alphonsus' School Compound, on the south by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School Compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(16) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhua Tea Estate within the police-station Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dohbi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate, and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road, within the police-station Kurseong in the district of Darjeeling.

*Notification No. 3C.R., dated the 24th June, 1944 (published in the "Calcutta Gazette" of the 29th June, 1944, Pt. I, p. 842).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 10 of the Bengal Rationing Order, 1943, and delegated to me under paragraph 22nd of the said Order by notification No. 2217D.C.S., dated the 1st December, 1943, I hereby direct that notwithstanding anything contained in clause 30 of the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, the Ration Permits issued for the first time under clause 28 of the said Regulations shall be valid for 18 Ration Weeks commencing from 1st May, 1944.

*Notification No. 726 D.C.S., dated the 31st January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 31st January, 1944, p. 43).*

In exercise of the powers conferred by sub-paragraphs (1) and (2) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Calcutta,
- (2) the Deputy Controller of Rationing (Establishments),
- (3) the Deputy Controller of Rationing (Employers' Shops),
- (4) the Additional Deputy Controller of Rationing,
- (5) the Special Officers in the office of the Controller of Rationing,
- and
- (6) the Rationing Officers,

for the purposes of the said sub-paragraphs in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3953D.C.S., dated the 4th May, 1944 (published in the "Calcutta Gazette" of the 11th May, 1944, Pt. I, p. 613).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, as amended by notification No. 1732D.C.S., dated the 4th March, 1944, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Khardah (24-Parganas),
- (3) the Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Bhadreswar (Hooghly),
- (4) the Special Officer, Rationing, Khardah (24-Parganas),
- (5) the Special Officer, Rationing, Bhadreswar (Hooghly),
- (6) the Assistant Controllers of Rationing, and
- (7) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 3954D.C.S., dated the 4th May, 1944 (published in the "Calcutta Gazette" of the 11th May, 1944, Pt. I, p. 613).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, as amended by notification No. 1732D.C.S., dated the 4th March, 1944, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Special Officer, Sub-area Organisation,
- (3) the Deputy Controller of Rationing (Establishment),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Additional Deputy Controller of Rationing,



- (6) the Special Officers under the Controller of Rationing, and
- (7) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the areas specified in the Schedule below:—

**Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 5465 D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 724).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing, Sub-Area Organisation, for the purposes of the said sub-paragraph in respect of the areas specified in the Schedule below:—

**Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank; (2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908; (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; (4) the municipalities of Howrah and Bally-Belur in the district of Howrah; and (5) the municipality of Budge Budge in the district of 24-Parganas.

*Notification No. 8696 D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 215).*

In exercise of the power conferred by sub-paragraph (1), of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-area Organisation,
- (3) the Deputy Controller of Rationing (Establishments),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Additional Deputy Controller of Rationing,

- (6) the Special Officers under the Controller of Rationing, and  
 (7) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the area specified in the Schedule below:—

#### **Schedule.**

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 100801D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1283).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, for the purposes of the said sub-paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5081D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Director of Rationing in the Directorate-General of Food, Department of Civil Supplies, Bengal, for the purposes of the said sub-paragraph in respect of the "Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and the "Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10217D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 191).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Dacca,
- (2) the Town Rationing Officer, Narayangunj,
- (3) the Assistant Town Rationing Officers, Dacca,
- (4) the Assistant Town Rationing Officers, Narayangunj,
- (5) the Assistant Rationing Officers, Dacca, and
- (6) the Assistant Rationing Officers, Narayangunj,

for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the Dacca-Narayangunj Urban Area.

**Explanation.**—In this notification, the Dacca-Narayangunj Urban Area has the same meaning as in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

*Notification No. 12884D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I., p. 1764).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers.	Areas.
1	2
The Town Rationing Officer of Comilla ..	The Comilla Urban Area.
The Assistant Rationing Officers, Comilla ..	The areas of their respective jurisdictions within the Comilla Urban Area.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 912D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Joint Controllers of Rationing, Department of Civil Supplies, Bengal, for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation.*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1328D.C.S., dated the 26th January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1946, p. vi).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing (Kerosene) for the purposes of the said sub-paragraph in respect of the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this notification "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1577D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. vii).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to

authorise the officers specified in column 1 of the table below for the purposes of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The Town Rationing Officer of Chittagong ..	The Chittagong Urban Area.
The Assistant Rationing Officers, Chittagong ..	The areas of their respective jurisdictions within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2821D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. x).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10A of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Darjeeling,
- (2) the Town Rationing Officer, Kalimpong,
- (3) the Town Rationing Officer, Kurseong,

for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 8849D.C.S., dated the 2nd September, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 220).*

In exercise of the power conferred by paragraph 10B of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-Area Organisation,
- (3) the Deputy Controller of Rationing (Establishments),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Khardah (24-Parganas),
- (6) the Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with headquarters at Bhadreswar (Hooghly),
- (7) the Special Officers under the Controller of Rationing, and
- (8) the Rationing Officers,

for the purpose of the said paragraph in respect of the areas specified in the schedule below:—

#### **Schedule.**

1. The Calcutta Industrial Area as defined in Schedule A to the Calcutta Industrial Area Rationing Regulations, 1943.

2. The Calcutta Industrial (Extended) Area as defined in Schedule A to the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10088D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1284).*

In exercise of the power conferred by paragraph 10B of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, for the purpose of the said paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5082D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by paragraph 10B of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, for the purposes of the said paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 913D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by paragraph 10B of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Joint Controllers of Rationing, Department of Civil Supplies, Bengal, for the purpose of the said paragraph in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation.*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 284D.C.S., dated the 14th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 60).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Calcutta,
- (2) the Special Officer, Sub-Area Organisation,
- (3) the Deputy Controller of Rationing (Establishments), and
- (4) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3780 D.C.S., dated the 1st May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 143).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The Controller of Rationing, Calcutta . .	The area specified in the Schedule below.
The Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with Headquarters at Khardah in the district of 24-Parganas, the Deputy Controller of Rationing in the Department of Civil Supplies, Bengal, with Headquarters at Bhadreswar in the district of Hooghly, the Special Officer, Sub-area Organisation and the Rationing Officers.	The areas of their respective jurisdictions within the areas specified in the said Schedule.

### Schedule.

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Kharduh, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisuhar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 5466 D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 725).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing, Sub-area Organisation, for the purposes of the said sub-paragraph in respect of the areas specified in the Schedule below:—

### Schedule.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank; (2) the port of Calcutta as defined by notification under section 5 of the

Indian Ports Act, 1908; (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; (4) the municipalities of Howrah and Bally-Belur in the district of Howrah; and (5) the municipality of Budge Budge in the district of 24-Parganas.

*Notification No. 8697 D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 215).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-area Organisation,
- (3) the Deputy Controller of Rationing (Establishments), and
- (4) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the area specified in the Schedule below:—

#### **Schedule.**

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 10081 D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1283).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, for the purposes of the said sub-paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5083 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 652).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, for the purposes of the said sub-paragraph in respect of the "Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and the "Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10218 D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 191).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Dacca,
- (2) the Town Rationing Officer, Narayanganj,
- (3) the Assistant Town Rationing Officers, Dacca,
- (4) the Assistant Town Rationing Officers, Narayanganj,
- (5) the Assistant Rationing Officers, Dacca, and
- (6) the Assistant Rationing Officers, Narayanganj.

for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the Dacca-Narayanganj Urban Area.

*Explanation.*—In this notification, the Dacca-Narayanganj Urban Area has the same meaning as in the Dacca-Narayanganj Urban Area Rationing Regulations, 1945.

*Notification No. 12885 D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1764).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers.	Areas.
1	2
The Town Rationing Officer, Comilla	The Comilla Urban Area.
The Assistant Rationing Officers, Comilla	The areas of their respective jurisdictions within the Comilla Urban Area.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 9111 D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Joint Controllers of Rationing, Department of Civil Supplies, Bengal, for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation.*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.



*Notification No. 1329 D.C.S., dated the 26th January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1946, p. vi).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing (Kerosene) for the purposes of the said paragraph in respect of the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this notification "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1578 D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. vii).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The Town Rationing Officer of Chittagong.	The Chittagong Urban Area.
The Assistant Rationing Officers, Chittagong.	The areas of their respective jurisdictions within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2822 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. x).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 13 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Town Rationing Officer, Darjeeling,
- (2) the Town Rationing Officer, Kalimpong,
- (3) the Town Rationing Officer, Kurseong,

for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 567, dated the 24th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 24th January, 1944, p. 21).*

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Calcutta Industrial Area:—

### Chapter I—General.

1. These Regulations may be called the Calcutta Industrial Area Rationing Regulations, 1943.

2. In these Regulations unless there is anything repugnant in the subject or context—

- (1) (a) all expressions used but not defined in these regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and
- (b) the expression "distributor" where used in any ration document means an appointed retailer referred to in these Regulations;
- <sup>1</sup>[(1a) "appointed mustard oil retailer" means a retail dealer appointed under the provisions of paragraph 3 of the Order in respect of mustard oil, but does not include a retailer in charge of an employer's shop;
- (1b) "appointed retailer" does not include an appointed mustard oil retailer.]
- (2) "Baker's bread" means Baker's bread or loaf (white, brown or wholemeal) of the following sizes:—
- <sup>2</sup>[2 oz., 4 oz., 8 oz., 1 lb., 1½ lb., 2 lb., 3 lb. and other multiples of 1 lb.]
- (3) "Calcutta Industrial Area" means the area specified in Schedule A to these Regulations;
- (4) "Controller" means the Controller of Rationing;
- <sup>3</sup>(4a) "Director" means the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal;
- (5) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (6) "Flour mill" includes a *chakki*;
- (7) "Government godown" means a depot established under the [Directorate General of Food in the Department of Civil Supplies, Bengal] for the purpose of the storage of rationed articles and their supply to appointed wholesalers, appointed retailers and appointed establishment proprietors under these Regulations;
- (8) "Order" means the Bengal Rationing Order, 1943;

<sup>1</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>2</sup>Substituted by notification No. 8471 D. C. S., dated the 24th August, 1944.

<sup>3</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>4</sup>Substituted by notification No. 7086 D. C. S., dated the 19th May, 1945.

- (9) "Permit Officer" means the officer appointed as such by the Controller with the approval of the Provincial Government;
- (10) "Rationing Officer" means an officer appointed as such by the Provincial Government and includes any officer specially authorised in this behalf by the <sup>1</sup>[Controller];
- (11) "Schedule" means a Schedule appended to these Regulations;
- (12) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor <sup>2</sup>[or a lunatic or a person of unsound mind], be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

4. An appointed wholesaler or retailer or person in charge of an establishment shall, where it is necessary to do so, obtain a licence or authorisation under the Foodgrains Control Order, 1942, and observe the conditions thereof.

### Chapter II—Household Consumption.

<sup>3</sup>4A. In clauses 5, 15A, 15B and 24 of this Chapter, "animal" means a horse, cow, bullock, bull or buffalo.

5. For the purposes of household consumption in the Calcutta Industrial Area, <sup>4</sup>["Ration Cards" and "Salt Ration Cards" for "animals" issued under this Chapter], shall be the ration documents.

6. Save as otherwise expressly provided a Ration Card <sup>5</sup>[issued for the first time shall consist of 13 coupons and a ration card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*]. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

7. Any person residing or intending to reside in the Calcutta Industrial Area <sup>6</sup>[otherwise than in a residential establishment] to whom a Ration Card has not been issued and who desires to have a Ration Card issued shall apply to the Rationing Officer of the A.R.P. Sub-Area in which he resides or intends to reside or to the Rationing Officer of the A.R.P. Sub-Area to which he is attached by order of the <sup>7</sup>[Director or the] Controller as the case may be, furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

<sup>1</sup>Substituted by notification No. 7086D.C.S., dated the 19th May, 1945.

<sup>2</sup>Inserted by notification No. 11743 D. C. S., dated the 12th December, 1944.

<sup>3</sup>Inserted by notification No. 8805 D. C. S., dated the 1st September, 1944.

<sup>4</sup>Substituted, *ibid*.

<sup>5</sup>Substituted by notification No. 3515 D. C. S., dated the 25th April, 1944.

<sup>6</sup>Inserted by notification No. 3026 D. C. S., dated the 12th April, 1944.

<sup>7</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

8. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's Forces or of the Forces of any nation in alliance with His Majesty <sup>1</sup>[or if he resides in a residential establishment].

9. No person shall obtain <sup>2</sup>[or attempt to obtain] a Ration Card by furnishing false information.

10. (1) No person shall obtain or attempt to obtain any rationed article by use of more than one Ration Card issued in his name or by use of a Ration Card issued in the name of any other person who is for the time being not resident within the rationed area <sup>2</sup>[or by use of a Ration Card the possession of which is not authorised by or under the Order] <sup>2</sup>[or by furnishing false information]. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact <sup>4</sup>[and surrender the extra card or cards so issued] to the Rationing Officer of the A.R.P. Sub-Area in which he resides or to the Rationing Officer of the A.R.P. Sub-Area to which he is attached by order of the Controller <sup>3</sup>[Director or the], as the case may be. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's Forces or the authorities of the Forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

<sup>4</sup>(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed article by the use of any ration card issued in his name and every such person shall forthwith surrender the ration card to the Rationing Officer by whom it was issued.

11. A Ration Card issued to a homeless person shall be stamped with the word "Homeless" and shall have all the weeks cancelled excepting the current week and the three weeks following immediately thereafter.

12. Where a person has been made an application under clause 7 before the rationing date, a provisional Ration Card may be issued by the Rationing Officer to such person pending issue of a Ration Card to him under paragraph 10 of the Order. The provisional Ration Card shall be clearly marked with the word "provisional" and shall consist of 4 coupons numbered serially to denote weeks. Each coupon shall be valid for the week specified on it:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that any specified cancelled coupon shall also be valid for the week specified in the notification.

13. A temporary Ration Card shall be issued by the Rationing Officer to any person who has made an application under clause 7 after the rationing date, if the period of his stay in the Calcutta Industrial Area is likely to be more than one week but less than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid

<sup>1</sup>Inserted by notification No. 11743 D. C. S., dated the 12th December, 1944.

<sup>2</sup>Inserted by notification No. 4032 D. C. S., dated the 6th May, 1944.

<sup>3</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>4</sup>Inserted by notification No. 3026 D. C. S., dated the 12th April, 1944.

and the validity of the Card shall be extended accordingly. On such extension the Rationing Officer shall issue an intimation thereof to the appointed retailer '[and the appointed mustard oil retailer] with whom the Card is registered. This intimation shall be retained by '[such retailers]':

\* \* \* \* \*

14. A Ration Card consisting of 13 coupons shall be issued to any person who has made an application under clause 7 after the rationing date and who intends to stay in the Calcutta Industrial Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Calcutta Industrial Area shall be cancelled:

Provided that pending the issue of a Ration Card under this clause the Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 13.

'15. The person to whom a Ration Card has been issued shall be termed the 'holder' in respect of that card. Each Ration Card shall show the number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below:

Provided that in relation to sugar, salt and mustard oil rations each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

'15A. (1) Any holder of a Ration Card, who has any animal or animals belonging to him in the Calcutta Industrial Area and desires to have issued to him a Salt Ration Card or Cards for such animal or animals, shall apply to the Rationing Officer of the A.R.P. Sub-Area in which he resides furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

(2) After the verification referred to in sub-paragraph (1), one Salt Ration Card for each animal so belonging to the applicant shall be issued to him and each such card shall consist of such number of coupons as may be fixed by the Controller '[or the Director]':

Provided that no such Salt Ration Cards shall be issued if the number of animals belonging to the applicant exceeds five.

(3) A Salt Ration Card for an animal shall have the value of two units and the quantity of salt obtainable on each units on such a Card shall be one *chatak*.

(4) The provisions of clauses 8, 9 and 10 shall apply to Salt Ration Cards for animals as they apply in relation to Ration Cards.

(5) Every holder of a Salt Ration Card for an animal shall register himself with the appointed retailer with whom he is registered in respect of his

---

<sup>1</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>2</sup>Substituted, *ibid*.

<sup>3</sup>Omitted by notification No. 8808 D. C. S., dated the 1st September, 1944.

<sup>4</sup>Substituted by notification No. 3597 D. C. S., dated the 14th March, 1946.

<sup>5</sup>Inserted by notification No. 8805 D. C. S., dated the 1st September, 1944.

<sup>6</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

Ration Card and the provisions of clause 23 shall, in so far as may be, apply to the registration of Salt Ration Cards for animals as they apply to the registration of Ration Cards.

<sup>1</sup>15B. Any holder of a Ration Card who has obtained a Salt Ration Card or Cards for an animal or animals shall notify in writing to the Rationing Officer by whom the Salt Ration Card or Cards was or were issued the death or any transfer from his possession of any such animal or any reduction in the number of any such animals owing to any other cause within ten days from the date on which such death, transfer or reduction takes place.

16. Every person recorded as the head of a family shall, and any member of the family may, notify to the Rationing Officer in writing any reduction in the number of members of the family due to death or to absence from the Calcutta Industrial Area for more than seven days or to any other cause. Such notice shall be given within 10 days from the date on which such reduction in the number of members of the household takes place.

17. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

18. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C:

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.

19. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card;

Provided that if <sup>2</sup>[the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind] the signature or thumb impression of the head of the family may be given instead;

(b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;

(c) complies with any other directions which may be issued on this account by the <sup>3</sup>[Director or the] Controller.

20. Save as provided in clauses 21 and 22 a holder of a Ration Card shall register himself with an appointed retailer according to the directions contained in Schedule I:

Provided that the <sup>4</sup>[Director or the] Controller may by order attach any person or class of persons to any particular shop.

<sup>4</sup>20A. Where the holder of a Ration Card gets himself registered with an appointed retailer not being a retailer in charge of an employer's shop he shall also for the purpose of obtaining his supply of mustard oil get himself registered with an appointed mustard oil retailer to whom such holder may be attached by order of the Controller.

<sup>1</sup>Inserted by notification No. 8805 D. C. S., dated the 1st September, 1944.

<sup>2</sup>Substituted by notification No. 11743 D. C. S., dated the 12th December, 1944.

<sup>3</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>4</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

21. A holder of a Ration Card who is the employee of any employer referred to in Schedules F and G shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family unless debarred by the proviso to sub-clause (a) of clause 22 may, register with the employer.

22. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

- (a) the retailer is an employer referred to in Schedule F or Schedule G and the holder is his employee or a dependant of his employee whose Card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceed three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

- (b) the retailer is one specified in Schedule H or is a person in charge of a Government Store under the Control of the Crown and selling rationed articles:

Provided that in the case of the retailer specified in Schedule H, he shall refuse to register such holder, if the registration is not being made according to the directions contained in Schedule I, unless the holder has been attached to such shop by order of the <sup>1</sup>[Director or the] Controller:

Provided further that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed <sup>2</sup>[3,300] permanent cards and 200 temporary cards in the case of a Government Store and <sup>2</sup>[3,000] permanent cards and 200 temporary cards in the case of an appointed retailer not being an employer specified in Schedules F and G, \* \* \*

\*22A. Notwithstanding anything contained in the second proviso to sub-clause (b) of clause 22 every retailer, who is specified in Schedule H or is a person in charge of a Government Store under the control of the Crown and selling rationed articles, shall register \* \* \* Salt Ration Cards for animals belonging to, those families any member of which has registered his permanent or temporary Ration Card with him.”;

23. (1) The holder of a Ration Card shall get himself registered in the following manner, namely:—

- (a) he shall himself or through an agent present the Ration Card to an appointed retailer according to the directions specified in clause 20 or to which he may be attached by order of the <sup>1</sup>[Director or the] Controller, or to his appropriate employer's shop in order to enable the retailer to enter his name, address, signature and shop No. in the Ration Card; and

<sup>1</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>2</sup>Substituted by notification No. 461 D. C. S., dated the 10th January, 1946.

\*Omitted by notification No. 8808 D. C. S., dated the 1st September, 1944.

<sup>1</sup>Inserted by notification No. 11743 D. C. S., dated the 12th December, 1944.

\*Omitted by notification No. 3597 D. C. S., dated the 14th March, 1946.

(b) he shall himself or through an agent permit the retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him <sup>1</sup>[and in the counterfoil thereof] his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the <sup>2</sup>[Director or the Controller]. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the <sup>3</sup>[Director or the Controller.]

<sup>4</sup>(3) The holder of a Ration Card who has got himself registered with an appointed retailer not being a retailer in charge of an employer's shop shall for the purpose of obtaining his supply of mustard oil get himself registered by presenting the Ration Card either himself or through an agent to the appointed mustard oil retailer to whom such holder has been attached by order of the Controller and such appointed mustard oil retailer shall enter in the Ration Card so presented to him his name, address, signature and shop No. and shall return the Ration Card to the person by whom it was presented after such entries have been made. Every appointed mustard oil retailer shall enter in a register the number of the Ration Cards presented to him for registration and the number of units in relation to mustard oil ration represented by such cards and any other particulars required by general or special order by the Controller.

24. <sup>5</sup>(1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket shall purchase his weekly requirements of rationed articles at one time during the week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card other than the holder of a temporary Ration Card shall purchase his requirement of salt for four weeks at a time.

<sup>6</sup>(1a) The provisions of sub-clause (1) shall apply to the supply of salt under a Salt Ration Card for an animal as they apply to the supply of salt under a Ration Card.

<sup>7</sup>(1b) The holder of a Ration Card registered with an appointed retailer not being a retailer in charge of an employer's shop shall, if he is registered with an appointed mustard oil retailer, purchase his requirements of mustard oil for four weeks at one time and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon such appointed mustard oil retailer shall supply to the holder mustard oil not exceeding the quantity obtainable on the coupon.

(2) The retailer shall comply with such other directions as may be issued by the <sup>8</sup>[Director or the] Controller or any officer authorised by the <sup>9</sup>[Director or the] Controller in this behalf.

<sup>1</sup>Inserted by notification No. 11743 D. C. S., dated the 12th December, 1944.

<sup>2</sup>Substituted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>3</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>4</sup>Substituted by notification No. 8805 D. C. S., dated the 1st September, 1944.

<sup>5</sup>Inserted by notification No. 8805 D. C. S., dated the 1st September, 1944.

<sup>6</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>7</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.



25. Notwithstanding anything contained in clauses 19, 20, <sup>1</sup>[20A,], 21 and 22, <sup>2</sup>[Director or the Controller or such Officer as the Director or the Controller may authorise] in this behalf may issue instructions transferring the name of a person registered with any appointed retailer from such retailer to another appointed retailer <sup>3</sup>[or of a person registered with any appointed mustard oil retailer from such retailer to another appointed mustard oil retailer].

25A. (1) The Controller may authorise any Rationing Officer to issue a civil ration ticket to a person belonging, or attached to, or employed with, His Majesty's Forces or belonging, or attached to, or employed with the Forces of any Nation in alliance with His Majesty who is within any rationed area on leave and is not in receipt of any rationed article from the authorities of such Forces on application made by such person in that behalf to the Controller furnishing true and correct information in such form as the Controller may require. Before authorising the issue of such ration ticket the Controller may make or cause to be made such inquiry as he deems fit for the verification of the information furnished by the applicant. A Rationing Officer when so authorised by the Controller shall issue such ration ticket to the applicant which shall be valid for one week only and the provisions of clauses 15, 17 and 18 shall apply to such ration ticket as they apply to a Ration Card issued under clause 13.

(2) On demand and offer of price by or on behalf of a holder of a civil ration ticket issued under sub-clause (1) any appointed retailer <sup>3</sup>[or any appointed mustard oil retailer shall supply to the holder rationed articles in respect of which he has been appointed as such retailer] not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### Chapter III—Establishments.

26. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

27. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

28. Such permits issued for the first time shall have six coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article <sup>4</sup>[and the number of units of bread tickets] allotted.

<sup>5</sup>28A. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

<sup>6</sup>28B. No person shall obtain or attempt to obtain any rationed article by use of a Ration Permit the possession of which is not authorised by or under the Order.

<sup>1</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>2</sup>Substituted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>3</sup>Substituted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>4</sup>Inserted by notification No. 8471 D. C. S., dated the 24th August, 1944.

<sup>5</sup>Inserted by notification No. 4032 D.C.S., dated the 6th May, 1944.

<sup>6</sup>Inserted by notification No. 11743 D. C. S., dated the 12th December, 1944.

29. The unit of each rationed article shall for the purpose of the Ration Permits have the value allotted to it in Schedule D.

30. No holder of a Ration Permit shall obtain any rationed article on the permit until he registers himself with the Deputy Controller of Rationing (Establishments) <sup>1</sup>[or with the Rationing Officer of the A.R.P. Sub-Area in which the establishment is situated] or with an appointed retailer of the A.R.P. Sub-Area in which the establishment is situated or to which he may be attached by order of the <sup>2</sup>[Director or the] Controller or the Deputy Controller of Rationing (Establishments).

31. All Ration Permits over-printed with a diagonal red line shall be registered with an appointed retailer. All ration permits not so over-printed shall <sup>3</sup>[in the case where such permits have been issued in respect of and establishment situated within the South Suburban Municipality or the Tollygunge Municipality in the district of 24-Parganas or in the Bally-Belur Municipality in the district of Howrah, be registered with the Rationing Officer of the A.R.P. Sub-Area in which the establishment is situated and in other cases] be registered with the Deputy Controller of Rationing (Establishments):

Provided that any Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

32. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 19, 20, <sup>4</sup>[20A], 22, 23 and 24 shall apply as if the permit were a ration card:

Provided that the limit specified under the second proviso to sub-clause (b) of clause 22 shall not apply in respect of Ration Permits:

Provided further that the holder of such a Ration Permit shall register with such appointed retailer <sup>5</sup>[and for obtaining the supply of mustard oil with such appointed mustard oil retailer] as may be directed by the <sup>2</sup>[Director or the] Controller or by such officer as the <sup>2</sup>[Director or the] Controller may authorise in this behalf.

33. Where a permit is to be registered with the Deputy Controller of Rationing (Establishments) or a Rationing Officer it shall be done in the following manner:—

- (a) the permit holder shall himself or through an agent present the Ration Permit to the Deputy Controller of Rationing (Establishment-) or the Rationing Officer, as the case may be; and
- (b) the permit holder shall himself or through an agent permit the Deputy Controller of Rationing (Establishments) or the Rationing Officer, as the case may be, to detach or retain the counterfoil of the Ration Permit.

34. The Deputy Controller of Rationing (Establishments) <sup>6</sup>[or the Rationing Officer] shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Deputy Controller of Rationing (Establishments) <sup>1</sup>[or the Rationing Officer] shall then detach and retain with him the counterfoil

---

<sup>1</sup>Inserted by notification No. 6165 D. C. S., dated the 24th/25th April, 1945.

<sup>2</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>3</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>4</sup>Substituted by notification No. 6165 D.C.S., dated the 24th/25th April, 1945.

of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

'35. The holder of a Ration Permit registered with the Deputy Controller of Rationing (Establishments) <sup>2</sup>[or the Rationing Officer] shall submit to him once every week an indent for the rationed articles and bread tickets. On the basis of such indent and against cancellation of the appropriate coupon, the Deputy Controller of Rationing (Establishments) <sup>2</sup>[or the Rationing Officer] shall issue such number of units of bread tickets as may be demanded by the holder of the Ration Permit not exceeding the number specified in the Ration Permit and shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid <sup>3</sup>[and also specifying in the case where the Ration Authority is in respect of mustard oil the appointed wholesaler, being a person in charge of a mustard oil depot, from whom such mustard oil shall be obtainable.]:

Provided that in specifying the number of maunds and seers the Deputy Controller of Rationing (Establishments) may, if he thinks it expedient, round off the number to the nearest maund.

36. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Deputy Controller of Rationing (Establishments) <sup>2</sup>[or the Rationing Officer, as the case may be], and the other copy shall be given to the Permit holder.

The Ration Authority shall be valid for the period specified on it.

37. (1) The holder of the Ration Authority shall submit it to the Permit Officer who shall on demand and offer of price by or on behalf of the holder of the Ration Authority and against cancellation of such authority <sup>4</sup>[to the extent of the rationed articles other than mustard oil specified in such authority issue a delivery permit for the rationed articles other than mustard oil] in quantities specified on the authority and addressed to the Officer-in-charge of the Government godown.

(2) On receipt of the delivery permit the Officer-in-Charge of the Government godown shall supply to the holder rationed articles <sup>3</sup>[other than mustard oil] in quantities specified on the permit.

(3) Notwithstanding anything in sub-clauses (1) and (2), the holder of the Ration Authority or his agent may in respect of any rationed articles which are wheat products present the Ration Authority at a flour mill to the person appointed by the flour mill for this purpose and the said person shall supply on demand and offer of price to the holder or his agent the rationed articles being wheat products for which the authority is valid and shall cancel the authority to the extent of the rationed articles so supplied.

<sup>3</sup>(4) When the Ration Authority is in respect of mustard oil, the holder of the Ration Authority or his agent shall present the Ration Authority to the appointed wholesaler being a person in charge of a mustard oil depot specified in such Ration Authority, and the said appointed wholesaler shall supply on demand and offer of price to the holder or his agent the mustard oil for which the authority is valid and shall cancel the authority to the extent of the mustard oil so supplied.

<sup>1</sup>Substituted by notification No. 8471 D. C. S., dated the 24th May, 1944.

<sup>2</sup>Inserted by notification No. 6165 D. C. S., dated the 24th/25th April, 1945.

<sup>3</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>4</sup>Substituted, *ibid.*

38. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

39. (1) Every appointed establishment proprietor shall, in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him in Form Establishments No. 7 appended to these Regulations.

(2) An appointed establishment proprietor shall obey all general or special directions given in writing from time to time by the <sup>1</sup>[Director or the Controller] concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith <sup>2</sup>[and the price at which any rationed article shall be sold].

#### **Chapter IV—Appointed Retailers other than Employers' Shops and Bakeries.**

40. An appointed retailer not being a retailer in charge of an Employer's Shop or a person owning or managing a bakery shall maintain a register in Form A.R.-I. (parts A and B) appended to these Regulations, in respect of the ration documents registered with him. At least once a week he shall submit the register together with the counterfoils of the Ration Cards and Permits registered with him to the Rationing Officer of the A.R.P. Sub-Area in which his shop is situated. He shall specify in the register the total number of units registered with him in respect of each rationed article<sup>3</sup> \* \*. The Rationing Officer shall after checking and initialling the entries in the register return it to the appointed retailer. The Rationing Officer shall then issue a Ration Authority to the retailer specifying in terms of standard maunds and seers the quantity of the rationed article obtainable thereon and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

41. (1) For the first fortnight after the rationing date the quantity of the rationed article covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(2) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

42. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Rationing Officer and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

43. (1) The Ration Authority shall be submitted by the appointed retailer to the Permit Officer who shall, on demand and offer of price by

<sup>1</sup>Substituted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>2</sup>Inserted by notification No. 3927 D. C. S., dated the 4th May, 1944.

<sup>3</sup>Omitted by notification No. 3547 D.C.S., dated the 14th March, 1946.

or on behalf of the appointed retailer and against the cancellation of such authority, issue a delivery permit for the rationed articles in quantities specified on the authority and addressed to the Officer-in-Charge of the Government godown.

(2) On receipt of the delivery permit the Officer-in-Charge of the Government godown shall supply to the holder rationed articles in quantities specified on the permit.

44. An appointed retailer <sup>1</sup>[not being a retailer in charge of an employer's shop or a person owning or managing a bakery] <sup>2</sup>[shall, in respect of his shop, maintain regular and accurate accounts of each rationed article <sup>3</sup>[other than mustard oil] obtained by him on ration documents, and] shall obey all general or special directions given in writing from time to time by the <sup>4</sup>[Director or the Controller] concerning the manner in which and the conditions subject to which any <sup>5</sup>[such article] may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith <sup>1</sup>[and the price at which any rationed article shall be sold].

#### Chapter V—Employers' Shops.

45. An appointed retailer, being a person in charge of an Employer's Shop, shall maintain a register in Form E.S.-I appended to these Regulations in connection with the ration documents registered with him and in connection with persons registered with him in Form F-II. <sup>6</sup>[He shall submit the register, together with the counterfoils of the Ration Cards registered with him to the Deputy Controller of Rationing (Employers' Shops), when so required by the said Deputy Controller.] He shall specify in the register the total number of units registered with him in respect of each rationed article<sup>7</sup> \* \* \*. The Deputy Controller of Rationing (Employers' Shops) shall after checking and initialling the entries in the register return it to the appointed retailer. The Deputy Controller of Rationing (Employers' Shops) shall then issue a Ration Authority to the retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon and the period for which the authority shall be valid <sup>8</sup>[and also specifying in the case where the Ration Authority is in respect of mustard oil the appointed wholesaler being a person in charge of a mustard oil depot from whom such mustard oil shall be obtainable]:

Provided that in specifying the number of such maunds and seers the Deputy Controller of Rationing (Employers' Shops) may, if he thinks it expedient, round off the number to the nearest maund.

46. (1) For the first fortnight subsequent to the rationing date the quantity of the rationed article covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

<sup>1</sup>Inserted by notification No. 3927 D. C. S., dated the 4th May, 1944.

<sup>2</sup>Inserted by notification No. 8757 D.C.S., dated the 25th June, 1945.

<sup>3</sup>Inserted by notification No. 12231 D. C. S., dated the 28th September, 1945.

<sup>4</sup>Substituted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>5</sup>Substituted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>6</sup>Substituted by notification No. 11743 D.C.S., dated the 12th December, 1944.

<sup>7</sup>Omitted by notification No. 3597 D.C.S., dated the 16th March, 1946.

(2) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

47. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Deputy Controller of Rationing (Employers' Shops) and the other copy shall be delivered to the appointed retailer.

48. (1) The Ration Authority shall be submitted by the appointed retailer to the Permit Officer who shall, on demand and offer of rice by or on behalf of the appointed retailer and against the cancellation of such authority <sup>1</sup>[to the extent of the articles other than mustard oil specified in such authority issue a delivery permit for the rationed articles other than mustard oil] in quantities specified on the authority and addressed to the Officer-in-Charge of the Government godown.

<sup>2</sup>[Provided that an appointed retailer specially empowered in this behalf by the Deputy Controller of Rationing (Employers' Shops) may obtain his supply of any rationed article direct from the <sup>3</sup>[Director-General of Food in the Department of Civil Supplies, Bengal] on an authority issued by the said Deputy Controller.]

(2) On receipt of the delivery permit the Officer-in-Charge of the Government godown shall supply to the holder rationed articles <sup>4</sup>[other than mustard oil] in quantities specified on the permit.

<sup>5</sup>[(3) When the Ration Authority is in respect of mustard oil, the holder of the Ration Authority either himself or through his agent present the Ration Authority to the appointed wholesaler being a person in charge of a mustard oil depot specified in such authority and the said appointed wholesaler shall on demand and offer of price by or on behalf of the holder and against the cancellation of such authority supply the quantity of mustard oil specified in the authority.]

49. An appointed retailer <sup>6</sup>[being a person in charge of an employer's shop] <sup>7</sup>[shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents, and] shall obey all general or special directions given in writing from time to time by the <sup>8</sup>[Director or the] Controller concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith <sup>9</sup>[and the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such article].

50. An appointed retailer, being a person in charge of an Employers' Shop, who has been authorised by an order of the Provincial Government to issue rationed articles otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-II appended to these regulations:

Provided that the rations issued to such person shall be on the scale laid down for the holder of a Ration Card.

<sup>1</sup>Substituted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>2</sup>Substituted by notification No. 11743 D.C.S., dated the 12th December, 1944.

<sup>3</sup>Substituted by notification No. 7086 D.C.S., dated the 19th May, 1945.

<sup>4</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>5</sup>Inserted by notification No. 3927 D.C.S., dated the 4th May, 1944.

<sup>6</sup>Inserted by notification No. 8757 D. C. S., dated the 26th June, 1945.

<sup>7</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

51. Clauses 45 to 48 shall not apply to the appointed retailer in charge of any Employer's Shop set up in accordance with a scheme referred to in sub-paragraph (2) of paragraph 3 of the Order, or to a retail dealer in charge of an Employer's Shop set up by any department or authority of the Central or Provincial Government when that department or authority has been appointed a wholesaler under sub-paragraph (1) of paragraph 3 of the Order:

Provided that such appointed retailer shall maintain, and submit the register in Form E.S.-I. together with the counterfoils of the Ration Cards registered with him, to the Deputy Controller of Rationing (Employers' Shops) and shall specify therein the total number of units registered with him.

#### **<sup>1</sup>Chapter VA—Appointed Mustard Oil Retailers.**

51A. An appointed mustard oil retailer shall maintain a register in such form as may be specified by the Director or the Controller in respect of the ration documents registered with him. He shall submit the register to the Rationing Officer of the A.R.P. Sub-Area in which his shop is situated at such intervals as may be specified by the said Rationing Officer. The appointed mustard oil retailer shall enter in the register the total number of units in relation to the mustard oil ration registered with him. For the purpose of obtaining his supply of mustard oil the appointed mustard oil retailer shall submit to such Rationing Officer the register and an indent in duplicate for such mustard oil. The indent shall be for the week following that in which it is submitted. The Rationing Officer shall, after checking and initialling the entries in the register return it to the appointed mustard oil retailer. On the basis of units entered in the register and such indent the Rationing Officer shall issue a Ration Authority to the retailer specifying in terms of standard maunds and seers the quantity of mustard oil obtainable thereon, and the period for which the authority shall be valid, the appointed wholesaler being a person in charge of a mustard oil depot to whom such appointed mustard oil retailer has been allotted by order of the Controller:

Provided that in specifying the number of such maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

51B. The Ration Authority shall be drawn up in duplicate. One copy shall be retained by the Rationing Officer and the other copy shall be delivered to the appointed mustard oil retailer. The Ration Authority shall be valid for the period specified in it. The Rationing Officer shall send to every appointed wholesaler being a person in charge of a mustard oil depot a daily advice list of all Ration Authorities issued by him to the appointed mustard oil retailers who have been allotted to such wholesaler.

51C. The appointed mustard oil retailer shall submit the Ration Authority to the appointed wholesaler being a person in charge of a mustard oil depot specified in such authority and such appointed wholesaler shall, after checking the authority with the daily advice list sent to him under clause 51B and on demand and offer of price by or on behalf of the appointed mustard oil retailer and against the cancellation of such Ration Authority supply the quantity of mustard oil specified in the authority.

51D. An appointed mustard oil retailer shall, in respect of his shop, maintain regular and accurate accounts of mustard oil obtained by him

<sup>1</sup>Inserted by notification No. 12231 D.C.S., dated the 26th September, 1945.

on ration documents and shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which mustard oil may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and the price at which any mustard oil shall be sold.

#### Chapter VI—Baker's Bread and Bakeries.

52. For the purpose of obtaining baker's bread in connection with household or establishment consumption, bread tickets issued under this Chapter shall be the ration documents.

53. The bread ticket shall be valid for the week during which it is issued and also for the succeeding week.

54. The quantity represented by each unit on a bread ticket shall be 16 ounces of bread. Bread tickets shall be issued only for a whole number of units.

55. (1) Any holder of a Ration Card may demand in exchange for any quantity of the wheat or wheat products admissible to him in respect of the number of units for which his Ration Card is valid, a bread ticket or bread tickets and on such demand he shall receive not more than three units of bread tickets for one unit of his Ration Card:

Provided that the <sup>1</sup>[Director or the] Controller may by general or special order vary from time to time the number of units of bread tickets which may be so received in exchange for one unit of the Ration Card.

(2) A holder of a Ration Card shall be entitled to receive one unit of a bread ticket in exchange for one-half of a seer of wheat or wheat products.

(3) The appointed retailer with whom the holder of a Ration Card is registered shall on such demand being made cancel the appropriate coupon of the Ration Card and issue a bread ticket or bread tickets subject to the maximum specified in sub-clause (1) together with the rationed articles for which the Ration Card is valid.

56. (1) Any holder of a Ration Permit which is registered with an appointed retailer may demand a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the Ration Permit and on such demand the appointed retailer shall cancel the appropriate coupon of the Ration Permit and issue together with the rationed articles for which the Ration Permit is valid a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the Ration Permit.

(2) Any holder of a Ration Permit which is registered with the Deputy Controller of Rationing (Establishments) <sup>1</sup>[ or with Rationing Officer] may in the manner specified in clause 35 demand a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the Ration Permit and on such demand the Deputy Controller of Rationing (Establishments) <sup>2</sup>[or the Rationing Officer as the case may be] shall issue a bread ticket or bread tickets as provided in that clause.

57. The appointed retailer or the Deputy Controller of Rationing (Establishments) <sup>2</sup>[or the Rationing Officer], as the case may be, shall enter in ink on the bread ticket the number of the Ration Card or the Ration

<sup>1</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>2</sup>Inserted by notification No. 6165 D.C.S., dated the 24th/25th April, 1945.



Permit against which it is issued and stamp the ticket with his seal. He shall also indicate on the bread ticket the week during which it is issued by cancelling in ink the appropriate number of the week printed on the ticket. No bread ticket shall be valid unless the requirements of this clause have been complied with.

58. On demand and offer of price by or on behalf of the holder of a bread ticket or bread tickets every appointed establishment proprietor being a person owning or managing a bakery shall, and any other appointed establishment proprietor or any appointed retailer or appointed wholesaler may supply bread to him against the surrender of such ticket or tickets during the period for which such ticket or tickets is or are valid and such bread shall be supplied only up to the quantity represented by the unit or units specified in the bread ticket or bread tickets:

Provided that when a bread ticket has been surrendered during the period of its validity to an appointed establishment proprietor being a person owning or managing a bakery, such establishment proprietor shall supply bread against it until the quantity of bread represented by the unit or units specified in such bread ticket is exhausted.

59. An appointed establishment proprietor being a person owning or managing a bakery shall maintain a register in Form Establishments No. 5 appended to these Regulations in connection with bread tickets surrendered to him. He shall submit the register each week to the Deputy Controller of Rationing (Establishments) together with the bread tickets and shall specify the total number of bread units collected by him. The Deputy Controller of Rationing (Establishments) shall check and return the register. He shall issue to the said establishment proprietor a Ration Authority specifying therein the quantity of wheat products which shall bear such proportion to the collected valid bread units as may be fixed by the <sup>1</sup>[Director or the] Controller and the period for which such Authority shall be valid:

Provided that in specifying the number of maunds and seers the Deputy Controller of Rationing (Establishments) may, if he thinks it expedient, round off the number to the nearest maund.

60. On demand and offer of price by or on behalf of the holder of such Ration Authority and against the surrender of such Authority an appointed wholesaler being a flour mill shall supply wheat products to the holder during the period for which the Authority is valid and up to the quantity specified therein.

## Chapter VII—Appointed wholesalers.

61. <sup>2</sup>[Save as otherwise provided in clauses 37 and 48] an appointed wholesaler shall supply rationed articles only to such appointed retailers and appointed establishment proprietors as may be allotted to him in this behalf by order in writing of the <sup>1</sup>[Director or the] Controller:

Provided that an appointed wholesaler, being a flour mill, shall on demand and offer of price supply wheat products to such other appointed wholesalers, being a department of or authority under the Central or Provincial Government or being employers, associations of employers, committees, bodies or local authorities managing any scheme or organisation

<sup>1</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>2</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

referred to in sub-paragraphs (1) and (2) of paragraph 3 of the Order as may be allotted to such appointed wholesaler by order in writing of the <sup>1</sup>[Director or the] Controller:

Provided further that an appointed wholesaler being a flour mill shall supply on demand and offer of price wheat products to the <sup>2</sup>[Controller] for re-sale through Government godowns.

<sup>3</sup>61A. An appointed wholesaler, being a person in charge of a mustard oil depot, shall supply mustard oil in accordance with these Regulations only to such appointed mustard oil retailers as may be allotted to him by order in writing of the Controller.

62. An appointed wholesaler not being a flour mill <sup>4</sup>[or an approved wholesaler in charge of a mustard oil depot] shall submit to the Deputy Controller of Rationing (Employers' Shops) a <sup>5</sup>[' \* \*'] return and indent in Form ES/AR-VII on behalf of all <sup>6</sup>[' \* \*'], appointed retailers and appointed establishment proprietors allotted to him for supply purposes, and shall obtain from such <sup>7</sup>[' \* \*'], appointed retailers or appointed establishment proprietors a weekly return and indent in the same form in the case of appointed retailers and in Form Establishments No. 4 in case of appointed establishment proprietors.

63. Every appointed retailer or appointed establishment proprietor who is allotted in accordance with clause 61 to an appointed wholesaler not being a flour mill <sup>8</sup>[or an approved wholesaler in charge of a mustard oil depot] for supply purposes shall submit to <sup>9</sup>[the Deputy Controller of Rationing (Employers' Shops) and] such appointed wholesaler a weekly return and indent in Form ES/AR-VII in case of appointed retailers and in Form Establishments No. 4 in case of appointed establishment proprietors.

64. (1) For the first fortnight after the rationing date the Deputy Controller of Rationing (Employers' Shops) shall issue a Ration Authority to every appointed wholesaler not being a flour mill <sup>10</sup>[or an approved wholesaler in charge of a mustard oil depot] specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable according to the total number of units registered with the appointed retailers or appointed establishment proprietors allotted to the said wholesaler.

(2) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in the stock of the appointed wholesaler and of the appointed retailer and appointed establishment proprietor allotted to him is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

65. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Deputy Controller of Rationing (Employers' Shops) and the other copy shall be delivered to the holder of the authority.

66. (1) An appointed wholesaler not being a flour mill <sup>11</sup>[or an approved wholesaler in charge of a mustard oil depot] shall submit the Ration Authority to the Permit Officer who on demand and offer of price and against

<sup>1</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>2</sup>Substituted, *ibid.*

<sup>3</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>4</sup>Omitted by notification No. 11743D.C.S., dated the 12th December, 1944.

<sup>5</sup>Inserted, *ibid.*

cancellation of the authority shall issue a delivery permit or permits on the Officer-in-Charge of the Government godown for the supply of rationed articles in quantities specified on the authority.

<sup>1</sup>[Provided that an appointed wholesaler specially empowered in this behalf by the Deputy Controller of Rationing (Employers' Shops) may obtain his supply of any rationed article direct from the <sup>2</sup>[Director-General of Food in the Department of Civil Supplies, Bengal] on an authority issued by the said Deputy Controller.]

(2) On receipt of the delivery permit the Officer-in-Charge of the Government godown shall supply to the holder rationed articles in quantities specified on the permit.

(3) Notwithstanding anything in sub-clauses (1) and (2) the permit-holder or his agent may in respect of any rationed articles which are wheat products present the ration authority at the flour mill to which such appointed wholesaler has been allotted under the first proviso to clause 61, to the person appointed by the flour mill for this purpose and the said person shall on demand and offer of price supply to the holder or his agent the rationed articles being wheat products for which the authority is valid and shall cancel the authority to the extent of the rationed articles so supplied.

(4) An appointed flour mill shall submit to the Deputy Controller of Rationing (Establishments) a return in Form Establishments No. 6 appended to these regulations for the supply of wheat products on presentation of Ration Authority.

67. An appointed wholesaler being a flour mill shall obtain the supply of rationed articles necessary for the manufacture of wheat products in such mill from the <sup>2</sup>[Director-General of Food in the Department of Civil Supplies, Bengal] on offer of price and in accordance with such directions as the <sup>2</sup>[Director-General of Food in the Department of Civil Supplies, Bengal] may issue in this behalf from time to time in writing.

68. An appointed wholesaler shall maintain a stock register of all rationed commodities and bread tickets issued to him in forms approved by the Controller.

69. A company which is appointed a wholesale dealer under sub-paragraph (3a) of paragraph 3 of the Order shall submit to the Controller a return for each month in Form Establishments No. 17 by the seventh day of the following month and shall maintain a Daily Stock Register in Form Establishments No. 18 and a register in Form Establishments No. 19, appended to these regulations, of distribution of the rationed articles received by it and distributed each month to vessels in respect of which it has been so appointed a wholesale dealer.

70. When an appointed wholesaler is authorised under paragraph 19 of the Order to distribute any rationed article otherwise than on a ration document to the crews of a vessel to which any of the provisions of the Inland Steam Vessels Act, 1917, does not apply, no such distribution shall be made except under, and in accordance with the conditions of, a permit issued in this behalf in respect of each such vessel to such wholesaler, by the Controller or any person authorised by the <sup>3</sup>[Director or the] Controller in writing.

<sup>1</sup>Inserted by notification No. 2657 D.C.S., dated the 15th March, 1945.

<sup>2</sup>Substituted by notification No. 7086 D.C.S., dated the 19th May, 1945.

<sup>3</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

71. An appointed wholesaler <sup>1</sup>[shall maintain regular and accurate accounts of each rationed article <sup>2</sup>[in respect of which he has been appointed as such wholesaler] obtained by him on ration documents, and] shall obey all general or special directions given in writing from time to time by the <sup>3</sup>[Director or the] Controller concerning the manner in which and the conditions subject to which any <sup>4</sup>[such rationed article] may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith <sup>5</sup>[and the price at which any rationed article shall be sold].

## **Chapter VIII—Kerosene.**

### *A—General.*

72. Except as otherwise expressly provided, the provisions of these Regulations other than Chapter I and this chapter shall not apply in respect of Kerosene.

73. In this Chapter—

- (a) “appointed kerosene retailer” means a retail dealer appointed as a retailer under the provisions of paragraph 3 of the Bengal Rationing Order, 1943, in respect of Kerosene.
- (b) “Agent” means a person who has been appointed an Agent of an oil company by such company and has also been appointed a wholesaler under the provisions of paragraph 3 of the Bengal Rationing Order, 1943.
- (c) “holder” means a person to whom a Kerosene Ration Card or a Kerosene Ration Permit has been issued under this chapter.
- (d) “kerosene distribution centre” means a Kerosene shop maintained by an Agent for supply of Kerosene to appointed Kerosene retailers, Employers’ Shops and Establishments.
- (e) “Oil Company” means a firm specified in Schedule J to these Regulations.
- (f) “sub-area” means an area as determined by the Director which is in charge of a Rationing Officer.
- (g) “vehicle” means a cycle, rickshaw, hand cart, bullock cart, hackney carriage or a motor vehicle.

### *B—Kerosene Ration Card.*

74. For the purpose of obtaining on a ration document kerosene for lighting rooms which are not lit by electricity or gas in premises used for residence or both for residence and business, Kerosene Ration Cards issued under this chapter shall be the ration documents.

75. Except as otherwise, expressly provided, a Kerosene Ration Card issued for the first time shall consist of 40 coupons and a Kerosene Ration Card issued on a subsequent occasion shall consist of such number of coupons

<sup>1</sup>Inserted by notification No. 8757 D.C.S., dated the 25th June, 1945.

<sup>2</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>3</sup>Inserted by notification No. 5079 D. C. S., dated the 21st April, 1945.

<sup>4</sup>Substituted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>5</sup>Inserted by notification No. 3927 D.C.S., dated the 4th May, 1944.

<sup>6</sup>Inserted by notification No. 1324 D.C.S., dated the 26th January, 1946.

as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the 105th week, for which the coupon shall be valid:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

76. Any holder of a Ration Card being the head of a family and occupying any room used for the purpose of residence or for the purpose of both residence and business, which is not lit by electricity or gas in any house, flat or holding in the Calcutta Industrial Area to whom a Kerosene Ration Card has not been issued and who desires to have a Kerosene Ration Card issued to him shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer after making such inquiry as he deems fit for verification of the information furnished by the applicant, shall issue a Kerosene Ration Card to the applicant.

77. The provisions of clauses 8, 9 and 10 shall, so far as may be, apply to a Kerosene Ration Card.

78. Each Kerosene Ration Card shall show the number of units allotted to the holder. The value of each unit on a Kerosene Ration Card shall be 33 oz. per four weeks:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on a Kerosene Ration Card.

79. No person shall obtain Kerosene on a Kerosene Ration Card unless he—

- (a) signs or puts his thumb impression in the space provided for the purpose on the Kerosene Ration Card,
- (b) registers himself with an appointed kerosene retailer or a retailer in charge of an employers' shop for the purpose of obtaining his supply of kerosene,
- (c) complies with any other directions which may be issued on this account by the Director or the Controller.

80. A holder of a Kerosene Ration Card shall himself or through an Agent present the card to the appointed kerosene retailer or the retailer in charge of an Employers' shop specified on the card for the purpose of registration with such retailer and the retailer shall, after putting his signature and seal on the Card, detach and retain the counterfoil thereof. The retailer shall preserve all such counterfoils and dispose of them as instructed by the Deputy Controller of Rationing (Kerosene) and shall enter in a register the number of the Kerosene Ration Cards and the units specified therein and any other particulars required by general or special order by the Deputy Controller of Rationing (Kerosene).

81. The holder of a Kerosene Ration Card registered with an appointed kerosene retailer or a retailer in charge of an Employer's shop shall purchase from such retailer his requirement of Kerosene for four weeks at a time.

82. On demand and offer of price by or on behalf of a holder of a Kerosene Ration Card the appointed kerosene retailer or the retailer in charge of an Employer's shop with whom such holder is registered shall supply to the holder Kerosene not exceeding the quantity obtainable on the card against cancellation of the appropriate coupons.

83. If any holder of a Kerosene Ration Card changes his residence to premises in the Calcutta Industrial Area which is lit by electricity or gas or to any place outside such area he shall, within ten days from the date on which such change of residence takes place, surrender the Kerosene Ration Card to the Rationing Officer of the sub-area in which he last resided and thereupon the Kerosene Ration Card shall be cancelled.

*C—Kerosene Ration Permit for Vehicles and Boats and for Refrigeration or Cooking.*

84. For the purpose of obtaining Kerosene on a ration document for use in vehicles or boats a Kerosene Ration Permit for Vehicles and Boats shall be the ration document and for use in cooking or refrigeration a Kerosene Ration Permit for Refrigeration or Cooking shall be the ration document.

85. (1) Any person who is the owner of a vehicle or a boat in the Calcutta Industrial Area and requires Kerosene for illumination of such vehicle or boat at night and to whom a Kerosene Ration Permit for Vehicles and Boats has not been issued and who desires to have such a Permit issued to him, shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, and produce to the said officer such evidence of his ownership of the vehicle or the boat, as may be required by the Rationing Officer in this behalf. The Rationing Officer, after making such enquiry in this behalf as he deems fit shall issue a Kerosene Ration Permit for Vehicles and Boats to the applicant.

(2) Any person who is the owner of an oil-burning stove or a refrigerator in the Calcutta Industrial Area and requires Kerosene for cooking or refrigeration and to whom a Kerosene Ration Permit for Refrigeration or Cooking has not been issued and who desires to have such a permit issued to him shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, and produce to the said officer such evidence of his ownership of the stove or the refrigerator as may be required by the Rationing Officer in this behalf. The Rationing Officer after making such enquiry in this behalf as he deems fit shall issue a Kerosene Ration Permit for Refrigeration or Cooking to the applicant.

(3) Such permit shall be valid for the period specified in it and the period of validity may be extended from time to time by the Director or the Controller.

86. The provisions of clauses 28A and 28B shall apply to Kerosene Ration Permits for Vehicles and Boats or for Refrigeration or Cooking.

87. Each Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking shall show the number of units allotted to the holder. The value of each unit on a Kerosene Ration Permit shall be 22 oz. per calendar month:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on such Kerosene Ration Permit.

88. The provisions of clause 79 shall apply to any Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking as if such Kerosene Ration Permit were a Kerosene Ration Card.

89. The holder of a Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking shall purchase his monthly requirement of Kerosene at one time during the month and on demand and offer of price by him or on his behalf the retailer shall supply to the holder Kerosene not exceeding the quantity obtainable on the permit in a month.

90. If any holder of a Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking transfers, or ceases to have, ownership in the Calcutta Industrial Area, of the vehicle or boat or refrigerator or oil-burning stove in respect of which such permit was issued, he shall surrender the permit to the Rationing Officer by whom it was issued and thereupon the permit shall be cancelled.

*D—Kerosene Ration Permit for Establishments.*

91. For the purpose of obtaining Kerosene on a ration document for use in an establishment for operational purposes a Kerosene Ration Permit for Establishments issued under this Chapter shall be the ration document.

92. A Kerosene Ration Permit for Establishments may be issued to an establishment in the Calcutta Industrial Area by the Deputy Controller of Rationing (Kerosene) on application made to him by the proprietor, manager or person in charge of such establishment, if the said officer is satisfied after verification of the information supplied in the application that Kerosene is required in the establishment for operational purposes.

93. The provisions of clauses 28A and 28B shall apply to a Kerosene Ration Permit for Establishments.

94. A Kerosene Ration Permit for Establishments shall be valid for the period specified on it:

Provided that the period of validity may be extended from time to time by the Director or the Controller.

95. Each Kerosene Ration Permit for Establishments shall show the number of units allotted to the establishment. The value of each unit on such Ration Permit shall be one imperial gallon per calendar month:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on such Kerosene Ration Permit.

96. No Kerosene shall be available on a Kerosene Ration Permit for Establishments unless the establishment in respect of which it has been issued has been registered with an Agent for the purpose of obtaining its supply of Kerosene.

97. A Kerosene Ration Permit for Establishments shall be presented to the Agent specified in the Permit for the purpose of registration with such Agent who shall thereupon put his signature and seal on the Permit and detach and retain the counterfoil thereof. The Agent shall preserve all such counterfoils and shall dispose of them as instructed by the Deputy Controller of Rationing (Kerosene) and shall enter in a register the number of the Permits and units specified therein and any other particulars required by general or special order by the Deputy Controller of Rationing (Kerosene).

98. The holder of a Kerosene Ration Permit for Establishments shall purchase his monthly requirement of Kerosene at one time during the month.

99. On demand and offer of price by or on behalf of a holder of a Kerosene Ration Permit for Establishments the Agent with whom such holder is registered shall supply to the holder Kerosene not exceeding the quantity obtainable on the Permit in a month.

*E—Appointed Kerosene Retailers and Retailers in charge of Employers' shops.*

100. An appointed Kerosene retailer and a retailer in charge of an Employer's shop shall maintain registers separately in respect of Kerosene Ration Cards and Kerosene Ration Permits registered with them in such forms as may be prescribed in this behalf by the Deputy Controller of Rationing and shall maintain a Daily Stock Register in respect of the total quantity of Kerosene obtained by them and a Daily Sales Register in respect of Kerosene issued from their shops in such forms as may be prescribed by the Deputy Controller of Rationing (Kerosene).

101. Every appointed Kerosene retailer and every retailer in charge of an Employer's shop shall submit to the Rationing Officer of the sub-area in which their shops are situated on such day of each week as may be determined by the Deputy Controller of Rationing (Kerosene) a Weekly Stock Return, Indent and Ration Authority Form duly filled in by them in triplicate. The Indent shall be for the week in which it is submitted. The Rationing Officer shall sign in the space provided for signature of the Deputy Controller of Rationing (Kerosene) and shall return two copies to the retailer and retain the third copy for his record. Thereafter the retailer shall submit one signed copy to the Agent to whom he has been attached for purposes of obtaining his supply of Kerosene. On demand and offer of price the Agent shall supply Kerosene to the retailer in quantities specified in such copy.

102. An appointed Kerosene retailer and a retailer in charge of an Employer's shop shall, in respect of their shops, maintain regular and accurate accounts of Kerosene obtained by them on ration documents and shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which Kerosene may be supplied or obtained or kept.

*F—Agent.*

103. Every Agent shall maintain a Kerosene Permit Register for each of his Kerosene distribution centres in respect of Kerosene Ration Permits registered with him in such form as may be prescribed by the Director or the Controller and a Daily Stock Register for each of his Kerosene distribution centres in respect of Kerosene received from his Oil Company in such form as may be prescribed by the Director or the Controller and shall also maintain two separate Daily Sales Registers, one in respect of Kerosene issued to appointed Kerosene retailers and Employers' shops and the other in respect of Kerosene issued to establishments.

104. Every Agent shall submit to the Deputy Controller of Rationing (Kerosene) on such day of each week as may be determined by the said officer a Weekly Stock Return, Indent and Ration Authority Form duly filled in by him in triplicate. The Indent shall be for the week in which it is submitted. The Deputy Controller of Rationing (Kerosene) after



checking the Form shall sign and return two copies to the Agent. Thereafter the Agent shall submit one of the signed copies to his Oil Company who shall supply Kerosene to the Agent in quantities specified in such copy.

105. An Agent shall, in respect of his Kerosene distribution centres, maintain regular and accurate accounts of Kerosene obtained from his Oil Company and shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which Kerosene may be supplied or obtained or kept.

### SCHEDULE A.

[See Regulation 2(3).]

#### The Calcutta Industrial Area.....

(1) Calcutta as defined in clause (II) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

<sup>1</sup>(5) The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

### SCHEDULE B.

(See Regulation 17.)

A coupon on a Ration Card on the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

1 Type of Ration Card.	2 Number of units.
Ration Cards in respect of persons above the age of 8 years.	Two.
Ration Cards in respect of persons of the age of 8 years and below.	Two in respect of sugar, mustard oil and salt and one in respect of other rationed articles.

### SCHEDULE C.

(See Regulation 18.)

The unit of a Ration Card shall be valued as follows:—

Rice husked or in the husk	...	} in combination <sup>2</sup> [1 seer and 5 <i>chataks</i> in the case of a person who is not a heavy manual worker and 1 seer and 12 <i>chataks</i> in the case of a person who is a heavy manual worker].
Wheat and wheat products	...	
Sugar	...	
<sup>4</sup> [Salt	...	
<sup>6</sup> [Mustard Oil.	...	<sup>3</sup> [2] <i>chataks</i> . <sup>5</sup> [1½] <i>chatak</i> ]. 1 <i>chatak</i> ].

<sup>1</sup>Added by notification No. 8694 D.C.S., dated the 30th August, 1944.

<sup>2</sup>Substituted by notification No. 3597 D.C.S., dated the 14th March, 1946.

<sup>3</sup>Substituted by notification No. 756 D.C.S., dated the 31st January, 1944.

<sup>4</sup>Substituted by notification No. 2657 D.C.S., dated the 15th March, 1945.

<sup>5</sup>Substituted by notification No. 13540 D.C.S., dated the 10th November, 1945.

<sup>6</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>1</sup>[*Explanation.*—“Heavy manual worker” means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or Controller or any other officer authorised in writing by the Director or Controller in this behalf shall be final.]

### SCHEDULE D.

[See Regulation 29.]

The unit of a Ration Card shall be valued as follows:—

	Seers.
Rice husked or in the husk ... ..	<sup>2</sup> [8]
<sup>3</sup> [Atta ... ..]	8
Flour ... ..	8]
Sugar ... ..	<sup>4</sup> [8]
<sup>4</sup> [Salt ... ..]	1]
<sup>5</sup> [Mustard oil ... ..]	2½]

### SCHEDULE E.

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker,

(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;

(2) in respect of Ration Cards of one unit—

(a) in the case of rice husked and in the husk—1 seer and 5 *chataks*;

(b) in the case of wheat and wheat products—1 seer.

*Explanation.*—“Heavy manual worker” has the same meaning as in Schedule C.

### SCHEDULE F.

[See Regulations 21 and 22.]

List of Employers' Shop attached to an appointed wholesaler.

### SCHEDULE G.

[See Regulations 21 and 22.]

List of Employers' Shops other than those in Schedule F.

<sup>1</sup>Inserted by notification No. 3597 D.C.S., dated the 14th March, 1946.

<sup>2</sup>Substituted by notification No. 756 D.C.S., dated the 31st January, 1944.

<sup>3</sup>Substituted by notification No. 1677 D.C.S., dated the 3rd March, 1944.

<sup>4</sup>Added by notification No. 8805 D.C.S., dated the 1st September, 1945.

<sup>5</sup>Inserted by notification No. 12231 D.C.S., dated the 28th September, 1945.

<sup>6</sup>Substituted by notification No. 3597 D.C.S., dated the 14th March, 1946.

**SCHEDULE H.**

[See Regulation 22.]

List of appointed retailers (excluding Schedules F and

**SCHEDULE I.**

[See Regulation 20.]

Consumers not attached to Employers' Shops shall register at the following appointed retailers including Government Stores:—

1. Consumers resident within the districts of Hooghly, Howrah and 24-Parganas at any appointed retailer's shop including a Government Store within the A.R.P. Sub-Area where they reside or to which they have been attached by order of the '[Director of the] Controller.

2. Consumers resident within the Port of Calcutta or Calcutta as defined in Schedule A attached to these regulations, at any appointed retailer including a Government Store within Calcutta as defined above.

**SCHEDULE J.**

1. Burmah Shell Oil Storage and Distributing Co. of India, Ltd.
2. Standard Vacuum Oil Co.
3. Indo-Burma Petroleum Co., Ltd.
4. Caltex (India), Ltd.

**FORMS.****Form A.R.-1 (Parts A and B).**

[See Regulation 40.]

**Register of Registered Ration Card/Permit Holders.**

Serial No.	Number of Ration Card (A) Ration Permit (B).	Name.	Address.	Units.	Initials of R. O. after check with counterfoil.	Cancellation.		Remarks.
						Date.	Reason.	

**FORM E.S.-I.**

[See Regulations 45 and 51.]

1	2	3	4	5	6	7		8
Serial No.	Number of Ration Card or Serial No. in F.-II Register.*	Name.	Address.	Units.	Initials of D. C. R., Employers' Shops, after check.	Cancellation.		Remarks.
						Date.	Reason.	

\*Only for cases where the maintenance of Register F-II has been specifically authorised.

<sup>1</sup>Inserted by notification No. 5079 D.C.S., dated the 21st April, 1945.

<sup>2</sup>Inserted by notification No. 1324 D.C.S., dated the 26th January, 1946.

**FORM ESTABLISHMENTS No. 5.**

[See Regulation 59.]

**Register of Bread Tickets (to be maintained by manufacturing establishments).**

Serial No.	Total No. of Bread Tickets.	Bread Units.	Initials of D. C. R.
------------	-----------------------------	--------------	----------------------

**FORM ESTABLISHMENTS No. 6.**

[See Regulation 66(4).]

**Register of Ration Authorities (to be maintained by appointed Flour Mills).**

Serial No.	Ration Authority No.	Units.	Quantity.	Initials of Permit Officer.
------------	----------------------	--------	-----------	-----------------------------

**FORM ESTABLISHMENTS No. 7.**

[See Regulation 39.]

**Daily Consumption Register.***Name of Rationed article.....*

Month and date.	Opening balance.	Quantities received.	Source of supply.	Total to be accounted for.	Consumption/Use in manufacture.	Balance.	Remarks.
-----------------	------------------	----------------------	-------------------	----------------------------	---------------------------------	----------	----------

**FORM F-II.**

[See Regulations 45 and 50.]

*Factory/Mill.....*

Serial No.	Names of workers (block letters).	Address with thana and village.	Date of joining factories.	Date of leaving factories.	Rationed commodity.	Rations drawn for weeks.												
						1	2	3	4	5	6	7	8	9	10	11	12	13
					Rice Wheat Products Sugar													

**FORM ESTABLISHMENTS No. 17.**

[See Regulation 69.]

**Monthly Return of Consumption.***Month.....*

Name and address of the company.	Number of craft leaving Calcutta in the month.			Average number of crews.			Consumption in the month.				
	Steamers.	Flats.	Barges.	Steamers.	Flats.	Barges.	Rice.	Atta.	Floor.	Sugar.	

**FORM ESTABLISHMENTS No. 18.**

[See Regulation 69.]

**Daily Stock Register.**

Month.....

Name of Company.....

1	2	3	4	5	6	7
Date.	Opening balance.	Quantity received.	Total of columns 2 and 3.	Quantity issued.	Balance.	Remarks.

**FORM ESTABLISHMENTS No. 19.**

[See Regulation 69.]

**Distribution Register.**

Month.....

Name of Company.....

Name of vessel.	Issues in the month.																															Remarks.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	

*Notification No. 3516 D.C.S., dated the 25th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 466).*

In pursuance of the provisions of clause 6 of the Calcutta Industrial Area Rationing Regulations, 1943, published under notification No. 567, dated the 24th January, 1944, as amended by notification No. 3515 D.C.S., dated the 25th April, 1944, the Governor is pleased to direct that a ration card issued for the second time shall consist of 39 coupons.

*Notification No. 2938 D.C.S., dated the 10th April, 1944 (published in the "Calcutta Gazette" of the 13th April, 1944, Pt. I, p. 414).*

In pursuance of the provisions of clause 28 of the Calcutta Industrial Area Rationing Regulations, 1943, the Governor is pleased to direct that the Ration Permits issued for the 2nd time shall have 23 coupons.

*Notification No. 8537 D.C.S., dated the 26th August, 1944 (published in the "Calcutta Gazette" of the 31st August, 1944, Pt. I, p. 1081).*

In pursuance of the provisions of clause 28 of the Calcutta Industrial Area Rationing Regulations, 1943, the Governor is pleased to direct that the Ration Permits issued for the third time shall have 30 coupons.

**Notification No. 1030(LL), dated the 10th July, 1945 (published in the "Calcutta Gazette" of the 12th July, 1945, Pt. 1, p.1186).**

Under clauses 44 and 49 of the Calcutta Industrial Area Rationing Regulations, 1943, and in supersession of notification No. 1 C.R., dated the 4th May, 1944, published in Part I of the *Calcutta Gazette*, dated the 11th May, 1944, I hereby direct that in the Calcutta Industrial Area as specified in Schedule "A" to the said Regulations, each appointed retailer shall sell, with effect from the 16th July, 1945, the different grades of rice as determined by the Provincial Government and mentioned in column 1 of the Schedule below at prices not exceeding those specified in the corresponding entries in column 2 of that Schedule:—

#### **Schedule.**

1	2
Grades of rice.	Price per seer.
Grade "A" ...	10 as. (ten annas).
Grade "B" ...	6 as. 6 ps. (six annas and six pies).
Grade "C" ...	4 as. (four annas).

**Notification No. 104(L.L.), dated the 26th February, 1946 (published in the "Calcutta Gazette" of the 27th February, 1946, Pt. 1, p. vi).**

Under clauses 49 and 51D of the Calcutta Industrial Area Rationing Regulations, 1943, and in supersession of notification No. 1311(L.L.), dated the 4th December, 1945, published in the *Calcutta Gazette* of the 6th December, 1945, I hereby direct that in the Calcutta Industrial Area as specified in Schedule A to the said Regulations each appointed mustard oil retailer shall sell, with effect from the 4th March, 1946, mustard oil at a price not exceeding Re. 1-2-6 pies (one rupee two annas and six pies) only per seer.

**Notification No. 3720 D.C.S., dated the 29th April, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 127).**

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Calcutta Industrial (Extended) Area:—

#### **Chapter I—General.**

1. These Regulations may be called the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

2. In these Regulations unless there is anything repugnant in the subject or context—

(1) (a) all expressions used but not defined in these regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and

(b) the expression "distributor" where used in any ration document means an appointed retailer referred to in these Regulations;

- (2) "Baker's bread" means Baker's bread or loaf (white, brown or wholemeal) of the following sizes:—  
<sup>1</sup>[2 oz., 4 oz., 8 oz., 1 lb., 1½ lb., 2 lb., 3 lb. and other multiples of 1 lb.].
- (3) "Calcutta Industrial (Extended) Area" means the area specified in Schedule A to these Regulations;
- (4) "Controller" means the Controller of Rationing;
- (5) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph<sup>3</sup> 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (6) "Flour mill" includes a *chakki*;
- (7) "Government godown" means a depot established under the<sup>2</sup>[Directorate General of Food in the Department of Civil Supplies, Bengal] for the purpose of the storage of rationed articles and their supply to appointed wholesalers, under these Regulations;
- (8) "Order" means the Bengal Rationing Order, 1943;
- (9) "Permit Officer" means the officer appointed as such by the Controller with the approval of the Provincial Government;
- (10) "Rationing Officer" means an officer appointed as such by the Provincial Government and includes any officer specially authorised in this behalf by the Controller of Rationing;
- (11) "Schedule" means a Schedule appended to these Regulations;
- (12) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor<sup>3</sup>[or a lunatic or a person of unsound mind], be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

4. An appointed wholesaler or retailer or person in charge of an establishment shall, where it is necessary to do so, obtain a licence or authorisation under the Foodgrains Control Order, 1942, and observe the conditions thereof.

<sup>4</sup>4A. In clauses 5, 15A, 15B and 24 of this Chapter "animal" means a horse, cow, bullock, bull or buffalo.

<sup>1</sup>Substituted by notification No. 8472D.C.S., dated the 24th August, 1944.

<sup>2</sup>Inserted by notification No. 11744D.C.S., dated the 12th December, 1944.

<sup>3</sup>Inserted by notification No. 8806D.C.S., dated the 1st September, 1944.

<sup>4</sup>Substituted, *ibid*.

## Chapter II—Household Consumption.

5. For the purposes of household consumption in the Calcutta Industrial (Extended) Area, "[ "Ration Cards" and "Salt Ration Cards" for "animals" issued under this Chapter], shall be the ration documents.

6. Save as otherwise expressly provided a Ration Card issued for the first time shall consist of 39 coupons, and a Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

7. Any person residing or intending to reside in the Calcutta Industrial (Extended) Area otherwise than in a residential establishment to whom a Ration Card has not been issued and who desires to have a Ration Card issued shall apply to the Rationing Officer of the A.R.P. Sub-Area in which he resides or intends to reside or to the Rationing Officer of the A.R.P. Sub-Area to which he is attached by order of the "[Director or the] Controller, as the case may be, furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

8. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's Forces or of the Forces of any Nation in alliance with His Majesty <sup>2</sup>[or if he resides in a residential establishment].

9. No person shall obtain or attempt to obtain a Ration Card by furnishing false information.

10. (1) No person shall obtain or attempt to obtain any rationed article by use of more than one Ration Card issued in his name or by use of a Ration Card issued in the name of any other person who is for the time being not resident within the rationed area <sup>3</sup>[or by use of a Ration Card the possession of which is not authorised by or under the Order] or by furnishing false information. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact and surrender the extra card or cards so issued, to the Rationing Officer of the A.R.P. Sub-Area in which he resides or to the Rationing Officer of the A.R.P. Sub-Area to which he is attached by order of the "[Director or the] Controller, as the case may be. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's Forces or the authorities of the Forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed article by the use of any Ration Card issued in his name and every such person shall forthwith surrender the Ration Card to the Rationing Officer by whom it was issued.

<sup>1</sup>In clauses, 7, 10, 15A, 19, 20, 22, in sub-clause (1) of clause 23 and in clauses 24, 32, 34, 39, 41, 45, 46, 50, 51, 57, 61, 63, 70, 73 and 78 and Schedule I the words, "[Director or the]" have been inserted by notification No. 508 D.C.S., dated the 21st April, 1946.

<sup>2</sup>Inserted by notification No. 8806 D.C.S., dated the 1st September, 1944.

<sup>3</sup>Inserted by notification No. 11744 D.C.S., dated the 12th December, 1944.



11. A Ration Card issued to a homeless person shall be stamped with the word "Homeless" and shall have all the weeks cancelled excepting the current week and the three weeks following immediately thereafter.

12. Where a person has made an application under clause 7 either before the rationing date or within 14 days after the rationing date, a provisional Ration Card may be issued by the Rationing Officer to such person pending issue of a Ration Card to him under paragraph 10 of the Order. The provisional Ration Card shall be clearly marked with the word "provisional" and shall consist of 4 coupons numbered serially to denote weeks. Each coupon shall be valid for the week specified on it:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that any specified cancelled coupon shall also be valid for the week specified in the notification.

13. A temporary Ration Card shall be issued by the Rationing Officer to any person who has made an application under clause 7 after the rationing date, if the period of his stay in the Calcutta Industrial (Extended) Area is likely to be more than one week but less than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the Card shall be extended accordingly. On such extension the Rationing Officer shall issue an intimation thereof to the appointed retailer with whom the Card is registered. This intimation shall be retained by the appointed retailer:

14. A Ration Card consisting of 39 coupons shall be issued to any person who has made an application under clause 7 after the rationing date and who intends to stay in the Calcutta Industrial (Extended) Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Calcutta Industrial (Extended) Area shall be cancelled:

Provided that pending the issue of Ration Card under this clause the Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 13.

<sup>2</sup>15. The person to whom a Ration Card has been issued shall be termed the "holder" in respect of that card. Each Ration Card shall show the number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below:

Provided that in relation to sugar, salt and mustard oil rations each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

<sup>3</sup>15A. (1) Any holder of a Ration Card, who has any animal or animals belonging to him in the Calcutta Industrial (Extended) Area and desires to have issued to him a Salt Ration Card or Cards for such animal or

<sup>1</sup>Omitted by notification No. 8809D.C.S., dated the 1st September, 1944.

<sup>2</sup>Substituted by notification No. 3598D.C.S., dated the 14th March, 1946.

<sup>3</sup>Inserted by notification No. 8806D.C.S., dated the 1st September, 1944.

animals, shall apply to the Rationing Officer of the A.R.P. Sub-Area in which he resides furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

(2) After the verification referred to in sub-paragraph (1), one Salt Ration Card for each animal so belonging to the applicant shall be issued to him and each such Card shall consist of such number of coupons as may be fixed by the [Director or the] Controller:

Provided that no such Salt Ration Cards shall be issued if the number of animals belonging to the applicant exceeds five.

(3) A Salt Ration Card for an animal shall have the value of two units and the quantity of salt obtainable on each unit on such a Card shall be one *chattak*.

(4) The provisions of clauses, 8, 9 and 10 shall apply to Salt Ration Cards for animals as they apply in relation to Ration Cards.

(5) Every holder of a Salt Ration Card for an animal shall register himself with the appointed retailer with whom he is registered in respect of his Ration Card and the provisions of clause 23 shall, in so far as may be, apply to the registration of Salt Ration Cards for animals as they apply to the registration of Ration Cards.

15B. Any holder of a Ration Card who has obtained a Salt Ration Card or Cards for an animal or animals shall notify in writing to the Rationing Officer by whom the Salt Ration Card or Cards was or were issued the death or any transfer from his possession of any such animal or any reduction in the number of any such animals owing to any other cause within ten days from the date on which such death, transfer or reduction takes place.

16. Every person recorded as the head of a family shall, and any member of the family may, notify to the Rationing Officer in writing any reduction in the number of members of the family due to death or to absence from the Calcutta Industrial (Extended) Area for more than seven days or to any other cause. Such notice shall be given within 10 days from the date on which such reduction in the number of members of the household takes place.

17. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

18. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C:

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.

19. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card:

Provided that if <sup>2</sup>[the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind] the signature or thumb impression of the head of the family may be given instead;

<sup>1</sup>Inserted by notification No. 8806 D.C.S., dated the 1st September, 1944.

<sup>2</sup>Substituted by notification No. 11744 L.C.S., dated the 12th December, 1944.

- (b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;
- (c) complies with any other directions which may be issued on this account by the [Director or the] Controller.

20. Save as provided in clauses 21 and 22 a holder of a Ration Card shall register himself with an appointed retailer according to the directions contained in Schedule I:

Provided that the [Director or the] Controller may by order attach any person or class of persons to any particular shop.

21. A holder of a Ration Card who is the employee of any employer referred to in Schedules F and G shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family unless debarred by the proviso to sub-clause (a) of clause 22 may, register with the employer.

22. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

- (a) the retailer is an employer referred to in Schedule F or Schedule G and the holder is his employee or a dependant of his employee whose Card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceed three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

- (b) the retailer is one specified in Schedule H or is a person in charge of a Government Store under the control of the Crown and selling rationed articles:

Provided that in the case of the retailer specified in Schedule H, he shall refuse to register such holder, if the registration is not being made according to the directions contained in Schedule I, unless the holder has been attached to such shop by order of the [Director or the] Controller:

Provided further that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed <sup>1</sup>[3,300] permanent cards and 200 temporary cards in the case of a Government Store and <sup>1</sup>[2,000] permanent cards and 200 temporary cards in the case of an appointed retailer not being an employer specified in Schedules F and G. \* \* \*

<sup>2</sup>22A. Notwithstanding anything contained in the second proviso to sub-clause (b) of clause 22 any retailer, who is specified in Schedule H or is a person in charge of a Government Store under the control of the Crown and selling rationed articles, shall register \* \* \* Salt Ration Cards for animals belonging to, those families any member of which has registered his permanent or temporary Ration Card with him.

<sup>1</sup>Substituted by notification No. 11744D.C.S., dated the 12th December, 1944.

<sup>2</sup>Omitted by notification No. 886D.C.S., dated the 1st September, 1944.

<sup>3</sup>Inserted by notification No. 11744D.C.S., dated the 12th December, 1944.

<sup>4</sup>Omitted by notification No. 3598D.C.S., dated the 14th March, 1946.

23. (1) The holder of a Ration Card shall get himself registered in the following manner, namely:—

(a) he shall himself or through an agent present the Ration Card to an appointed retailer according to the directions specified in clause 20 or to which he may be attached by order of the <sup>1</sup>[Director or the] Controller, or to his appropriate employer's shop in order to enable the retailer to enter his name, address, signature and shop No. in the Ration Card; and

(b) he shall himself or through an agent permit the retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him and in the counterfoil thereof his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the <sup>1</sup>[Director or the Controller]. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the <sup>1</sup>[Director or the Controller].

24. <sup>2</sup>(1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket shall purchase his weekly requirements of rationed articles at one time during the week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card other than the holder of a temporary Ration Card shall purchase his requirement of salt for four weeks at a time;

<sup>3</sup>(1a) The provisions of sub-clause (1) shall apply to the supply of salt under a Salt Ration Card for an animal as they apply to the supply of salt under a Ration Card.

(2) The retailer shall comply with such other directions as may be issued by the Controller or any officer authorised by the <sup>1</sup>[Director or the] Controller in this behalf.

25. Notwithstanding anything contained in clauses 19, 20, 21 and 22, the <sup>1</sup>[the Director or the Controller or such officer as the Director or the Controller may authorise] in this behalf may issue instructions transferring the name of a person registered with any appointed retailer from such retailer to another appointed retailer.

26. (1) The Controller may authorise any Rationing Officer to issue a civil ration ticket to a person belonging, or attached to, or employed with, His Majesty's Forces or belonging, or attached to, or employed with, the Forces of any Nation in alliance with His Majesty who is within any rationed area on leave and is not in receipt of any rationed article from the authorities of such Forces on application made by such person in that behalf to the Controller furnishing true and correct information in such form as the Controller may require. Before authorising the issue of such ration ticket the Controller may make or cause to be made such inquiry as he deems fit for the verification of the information furnished by the applicant. A Rationing Officer when so authorised by the Controller shall

<sup>1</sup>Substituted by notification No. 5086D.C.S., dated the 21st April, 1945.

<sup>2</sup>Substituted by notification No. 8806D.C.S., dated the 1st September, 1944.

<sup>3</sup>Inserted, *ibid.*

issue such ration ticket to the applicant which shall be valid for one week only and the provisions of clauses 15, 17 and 18 shall apply to such ration ticket as they apply to a Ration Card issued under clause 13.

(2) On demand and offer of price by or on behalf of a holder of a civil ration ticket issued under sub-clause (1) any appointed retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### Chapter III—Establishments.

27. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

28. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

29. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

<sup>1</sup>29A. No person shall obtain or attempt to obtain any rationed article by use of a Ration Permit the possession of which is not authorised by or under the Order.

30. Such permits issued for the first time shall have four coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article <sup>2</sup>[and the number of units of bread tickets] allotted.

31. The unit of each rationed article shall for the purpose of the Ration Permits have the value allotted to it in Schedule D.

32. No holder of a Ration Permit shall obtain any rationed article on the permit until he registers himself with the Rationing Officer or with an appointed retailer of the A.R.P. Sub-Area in which the establishment is situated or to which he may be attached by order of the [Director or the] Controller or the Deputy Controller of Rationing.

33. All Ration Permits over-printed with a diagonal red line shall be registered with an appointed retailer. All Ration Permits not so over-printed shall be registered with the Rationing Officer of the A.R.P. Sub-Area in which the establishment is situated:

Provided that any Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

34. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 19, 20, 22, 23 and 24 shall apply as if the permit were a ration card:

Provided that the limit specified under the second proviso to sub-clause (b) of clause 22 shall not apply in respect of Ration Permits:

Provided further that the holder of such a Ration Permit shall register with such appointed retailer as may be directed by the Controller or by such officer as the [Director or the] Controller may authorise in this behalf.

<sup>1</sup>Inserted by notification No. 11744D.C.S., dated the 12th December, 1944.

<sup>2</sup>Inserted by notification No. 8472D.C.S., dated the 24th August, 1944.

35. Where a Permit is to be registered with the Rationing Officer it shall be done in the following manner:—

- (a) the permit holder shall himself or through an agent present the Ration Permit to the Rationing Officer, and
- (b) he shall himself or through an agent permit the Rationing Officer to detach and retain the counterfoil of the Ration Permit.

36. The Rationing Officer shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Rationing Officer shall then detach and retain with him the counterfoil of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

37. The holder of a Ration Permit registered with the Rationing Officer shall submit to him once every week an indent for the rationed articles and bread tickets. On the basis of such indent and against cancellation of the appropriate coupon, the Rationing Officer shall issue such number of units of bread tickets as may be demanded by the holder of the Ration Permit not exceeding the number specified in the Ration Permit and shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid:

Provided that in specifying the number of maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

38. The Ration Authority shall be drawn up in duplicate; one copy shall be retained by the Rationing Officer, and the other copy shall be given to the Permit holder.

The Ration Authority shall be valid for the period specified on it.

39. The holder of the Ration Authority shall submit it to the appointed wholesaler to whom he has been attached by order of the [Director or the] Controller. The appointed wholesaler shall retain the Ration Authority duly receipted by the holder and on demand and offer of price by or on behalf of the holder shall supply to him rationed articles in quantities specified on the Ration Authority.

40. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

41. (1) Every appointed establishment proprietor shall, in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him in Form Establishments No. 7 appended to these Regulations or in any other form laid down by the [Director or the] Controller.

(2) An appointed establishment proprietor shall obey all general or special directions given in writing from time to time by the [Director or the] Controller concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith <sup>2</sup>[and the price at which any rationed article should be sold].

<sup>1</sup>Substituted by notification No. 8472D.C.S., dated the 24th August, 1944.

<sup>2</sup>Inserted by notification No. 6269D.C.S., dated the 19th June, 1944.

## Chapter IV—Appointed Retailers other than Employers' Shops and Bakeries.

42. An appointed retailer not being a retailer in charge of an Employer's shop or a person owning or managing a bakery shall maintain a register in Form A.R.-I (Parts A and B) appended to these Regulations, in respect of the ration documents registered with him. At least once a week he shall submit the register together with the counterfoils of the Ration Cards and Permits registered with him to the Rationing Officer of the A.R.P. Sub-Area in which his shop is situated. He shall specify in the register the total number of units registered with him in respect of each rationed article <sup>1</sup>[\* \* \*]. The Rationing Officer shall after checking and initialling the entries in the register return it to the appointed retailer. The Rationing Officer shall then issue a Ration Authority to the retailer specifying in terms of standard maunds and seers the quantity of the rationed article obtainable thereon and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

43. (1) For the first fortnight after the rationing date the quantity of the rationed article covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(2) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

44. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Rationing Officer and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

45. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Director or the Controller. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the retailer shall supply to the appointed retailer rationed articles in quantities specified on the Ration Authority.

46. An appointed retailer not being a retailer in charge of an Employer's shop or a person owning or managing a bakery <sup>2</sup>[shall, in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents, and] shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith <sup>3</sup>[and the price at which any rationed article shall be sold].

<sup>1</sup>Omitted by notification No. 3598D.C.S., dated the 14th March, 1946.

<sup>2</sup>Inserted by notification No. 8758D.C.S., dated the 25th June, 1945.

<sup>3</sup>Added by notification No. 6269D.C.S., dated the 19th June, 1944.

### Chapter V—Employers' Shops.

47. An appointed retailer, being a person in charge of an Employer's Shop, shall maintain a register in Form E.-S.-I appended to these Regulations in connection with the ration documents registered with him and in connection with persons registered with him in Form F-II. He shall submit the register together with the counterfoils of the Ration Cards registered with him, '[to the Deputy Controller of Rationing (Employers' Shops) when so required by the said Deputy Controller]'. He shall specify in the register the total number of units registered with him in respect of each rationed article '[\* \* \*]'. The Deputy Controller of Rationing (Employers' Shops) shall after checking and initialling the entries in the register return it to the appointed retailer. The Deputy Controller of Rationing (Employers' Shops) shall then issue a Ration Authority to the retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Deputy Controller of Rationing (Employers' Shops) may, if he thinks it expedient, round off the number to the nearest maund.

48. (1) For the first fortnight subsequent to the rationing date the quantity of the rationed article covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(2) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

49. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Deputy Controller of Rationing (Employers' Shops) and the other copy shall be delivered to the appointed retailer.

50. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Director or the Controller. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the retailer shall supply to the appointed retailer rationed articles in quantities specified on the Ration Authority:

Provided that an appointed retailer specially empowered in this behalf by the Deputy Controller of Rationing (Employers' Shops) may obtain his supply of any rationed article direct from the '[Director-General of Food in the Department of Civil Supplies, Bengal] on an authority issued by the said Deputy Controller.

51. An appointed retailer being a person in charge of an Employers' Shop '[shall, in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents, and], shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or

<sup>1</sup>Substituted by notification No. 11744D.C.S., dated the 12th December, 1944.

<sup>2</sup>Omitted by notification No. 3598D.C.S., dated the 14th March, 1946.

<sup>3</sup>Substituted by notification No. 7087D.C.S., dated the 19th May, 1945.

<sup>4</sup>Inserted by notification No. 8758D.C.S., dated the 25th June, 1945.



in connection therewith <sup>1</sup>[and the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such articles].

52. An appointed retailer being a person in charge of an Employer's Shop, who has been authorised by an order of the Provincial Government to issue rationed articles otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-II appended to these Regulations:

Provided that the rations issued to such person shall be on the scale laid down for the holder of a Ration Card.

53. Clauses 47 to 50 shall not apply to the appointed retailer in charge of any Employer's Shop set up in accordance with a scheme referred to in sub-paragraph (2) of paragraph 3 of the Order, or to a retail dealer in charge of an Employer's Shop set up by any department or authority of the Central or Provincial Government when that department or authority has been appointed a wholesaler under sub-paragraph (1) of paragraph 3 of the Order:

Provided that such appointed retailer shall maintain, and submit the register in Form E.S.-I together with the counterfoils of the Ration Cards registered with him, to the Deputy Controller of Rationing (Employers' Shops) and shall specify therein the total number of units registered with him.

### **<sup>2</sup>Chapter VI—Baker's Bread and Bakeries.**

54. For the purpose of obtaining baker's bread in connection with household or establishment consumption, bread tickets issued under this Chapter shall be the ration documents.

55. The bread ticket shall be valid for the week during which it is issued and also for the succeeding week.

56. The quantity represented by each unit on a bread ticket shall be 16 ounces of bread. Bread tickets shall be issued only for a whole number of units.

57. (1) Any holder of a Ration Card may demand in exchange for any quantity of the wheat or wheat products admissible to him in respect of the number of units for which his Ration Card is valid, a bread ticket or bread tickets and on such demand he shall receive not more than three units of bread tickets for one unit of his Ration Card:

Provided that the [Director or the] Controller may by general or special order vary from time to time the number of units of bread tickets which may be so received in exchange for one unit of the Ration Card.

(2) A holder of a Ration Card shall be entitled to receive one unit of a bread ticket in exchange for one-half of a seer of wheat or wheat products.

(3) The appointed retailer with whom the holder of a Ration Card is registered shall on such demand being made cancel the appropriate coupon of the Ration Card and issue a bread ticket or bread tickets subject to the maximum specified in sub-clause (1) together with the rationed articles for which the Ration Card is valid.

58. (1) Any holder of a Ration Permit which is registered with an appointed retailer may demand a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the

<sup>1</sup>Added by notification No. 6269D.C.S., dated the 19th June, 1944.

<sup>2</sup>Substituted by notification No. 8472D.C.S., dated the 24th August, 1944.

**Ration Permit and on such demand the appointed retailer shall cancel the appropriate coupon of the Ration Permit and issue together with the rationed articles for which the Ration Permit is valid a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the Ration Permit.**

(2) Any holder of a Ration Permit which is registered with the Rationing Officer may in the manner specified in clause 37 demand a bread ticket or bread tickets of such number of units as does not exceed the number of units specified in the Ration Permit and on such demand the Rationing Officer shall issue a bread ticket or bread tickets as provided in that clause.

59. The appointed retailer or the Rationing Officer, as the case may be, shall enter in ink on the bread ticket the number of the Ration Card or the Ration Permit against which it is issued and stamp the ticket with his seal. He shall also indicate on the bread ticket the week during which it is issued by cancelling in ink the appropriate number of the week printed on the ticket. No bread ticket shall be valid unless the requirements of this clause have been complied with.

60. On demand and offer of price by or on behalf of the holder of a bread ticket or bread tickets every appointed establishment proprietor being a person owning or managing a Bakery shall, and any other appointed establishment proprietor or any appointed retailer or appointed wholesaler may supply bread to him against the surrender of such ticket or tickets during the period for which such ticket or tickets is or are valid and such bread shall be supplied only up to the quantity represented by the unit or units specified in the bread ticket or bread tickets:

Provided that when a bread ticket has been surrendered during the period of its validity to an appointed establishment proprietor being a person owning or managing a Bakery, such establishment proprietor shall supply bread against it until the quantity of bread represented by the unit or units specified in such bread ticket is exhausted.

61. An appointed establishment proprietor being a person owning or managing a Bakery shall maintain a register in Form Establishments No. 5 appended to these Regulations in connection with bread tickets surrendered to him. He shall submit the register each week to the Rationing Officer together with the bread tickets and shall specify the total number of bread units collected by him. The Rationing Officer shall check and return the register. He shall issue to the said establishment proprietor a Ration Authority specifying therein the quantity of wheat products which shall bear such proportion to the collected valid bread units as may be fixed by the [Director or the] Controller and the period for which such Authority shall be valid:

Provided that in specifying the number of maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

62. On demand and offer of price by or on behalf of the holder of such Ration Authority and against the surrender of such authority and appointed wholesaler, not being a wholesaler to whom the provisions contained in section A of Chapter VII apply, shall supply wheat products to the holder during the period for which the Authority is valid and up to the quantity specified therein.

## Chapter VII—Appointed Wholesalers.

*Section A.—Appointed wholesalers appointed in accordance with a scheme referred to in sub-paragraph (2) of paragraph 3 of the Order and appointed wholesalers being departments of or authorities under the Central or Provincial Government appointed under sub-paragraph (1) of paragraph 3 of the Order.*

63. An appointed wholesaler shall supply rationed articles only to such appointed retailers and appointed establishment proprietors as may be allotted to him in this behalf by order in writing of the [Director or the] Controller.

64. Every appointed retailer or appointed establishment proprietor who is allotted in accordance with clause 63 to an appointed wholesaler for supply purposes shall submit to the Deputy Controller of Rationing (Employers' Shops) and such appointed wholesaler a weekly return and indent in Form ES/AR-VII in case of appointed retailers and in Form Establishments No. 4 in case of appointed establishment proprietors.

65. An appointed wholesaler shall submit to the Deputy Controller of Rationing (Employers' Shops) a return and indent in Form ES/AR-VII on behalf of all appointed retailers and appointed establishment proprietors allotted to him for supply purposes, and shall obtain from such appointed retailers or appointed establishment proprietors a weekly return and indent in the same form in the case of appointed retailers and in Form Establishments No. 4 in case of appointed establishment proprietors.

66. (1) For the first fortnight after the rationing date the Deputy Controller of Rationing (Employers' Shops) shall issue a Ration Authority to every appointed wholesaler specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable according to the total number of units registered with the appointed retailers or appointed establishment proprietors allotted to the said wholesaler.

(2) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in the stock of the appointed wholesaler and of the appointed retailer and appointed establishment proprietor allotted to him is short of the maximum specified in sub-clause (1) on account of sales lawfully made.

67. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Deputy Controller of Rationing (Employers' Shops) and the other copy shall be delivered to the holder of the authority.

68. (1) An appointed wholesaler shall submit the Ration Authority to the Permit Officer who on demand and offer of price and against cancellation of the authority shall issue a delivery permit or permits on the Officer-in-charge of the Government godown for the supply of rationed articles in quantities specified on the authority:

Provided that an appointed wholesaler specially empowered in this behalf by the Deputy Controller of Rationing (Employers' Shops) may obtain his supply of rationed articles direct from the <sup>1</sup>[Director-General of Food in the Department of Civil Supplies, Bengal] on an authority issued by said Deputy Controller.

(2) On receipt of the delivery permit the Officer-in-charge of the Government godown shall supply to the holder rationed articles in quantities specified on the permit.

<sup>1</sup>Substituted by notification No. 7087D.C.S., dated the 19th May, 1945.

(3) Notwithstanding anything in sub-clauses (1) and (2) the permit-holder or his agent may in respect of any rationed articles which are wheat products present the Ration Authority at the flour mill to which such appointed wholesaler has been allotted under the first proviso to clause 70, to the person appointed by the flour mill for this purpose and the said person shall on demand and offer of price supply to the holder or his agent the rationed articles being wheat products for which the authority is valid and shall cancel the authority to the extent of the rationed articles so supplied.

69. An appointed wholesaler shall maintain a stock register of all rationed commodities and bread tickets issued to him in forms approved by the Controller.

*Section B.—Appointed wholesalers being Flour Mills.*

70. An appointed wholesaler being a flour mill shall supply rationed articles only to such appointed retailers and appointed establishment proprietors as may be allotted to him in this behalf by order in writing of the Director or the Controller:

Provided that an appointed wholesaler, being a flour mill, shall on demand and offer of price supply wheat products to such other appointed wholesalers, being a department of or authority under the Central or Provincial Government or being employers, associations of employers, committees, bodies or local authorities managing any scheme or organisation referred to in sub-paragraphs (1) and (2) of paragraph 3 of the Order as may be allotted to such appointed wholesaler by order in writing of the [Director or the] Controller:

Provided further that an appointed wholesaler being a flour mill shall supply on demand and offer of price wheat products to the Controller for re-sale through Government godowns.

71. An appointed wholesaler being a flour mill shall obtain the supply of rationed articles necessary for the manufacture of wheat products in such mill from the '[Director-General of Food in the Department of Civil Supplies, Bengal]' on offer of price and in accordance with such directions as the Director of Civil Supplies may issue in this behalf from time to time in writing.

72. An appointed flour mill shall submit to the Deputy Controller of Rationing (Establishments) a return in Form Establishments No. 6 appended to these Regulations for the supply of wheat products on presentation of Ration Authority.

*Section C.—Other appointed wholesalers.*

73. An appointed wholesaler referred to in this section of this chapter shall supply rationed articles only to such appointed retailers and appointed establishment proprietors as may be allotted to him in this behalf by order in writing of the Director or the Controller.

74. For the initial allotment of rationed articles each appointed wholesaler shall receive before the rationing date from the Deputy Controller of Rationing, Bhadreswar (Hooghly), or the Deputy Controller of Rationing, Khardah (24-Parganas), or the Special Officer, Sub-Areas, as the case may be, a Ration Authority specifying in terms of standard maunds the quantity of each rationed article which shall be obtainable, calculated on the basis of the total number of units registered or expected to be registered with the appointed retailers and appointed establishment proprietors allotted to the said wholesaler.

---

<sup>1</sup>Substituted by notification No. 7087 D. C. S., dated the 19th May, 1945.

75. Each appointed retailer and appointed establishment proprietor (not being an establishment proprietor attached to an appointed retailer) shall receive from the Rationing Officer of the sub-area in which his shop or establishment is situated a Ration Authority specifying in standard maunds the quantity of each rationed articles, sufficient for a period of 14 days, which shall be obtainable on presentation of the Ration Authority and offer of price to the appointed wholesaler.

76. An appointed wholesaler shall submit his Ration Authority to the Permit Officer along with a receipted Treasury chalan to cover the price of the rationed articles and the Permit Officer shall thereupon issue a delivery permit or permits on the Officer-in-charge of the Government godown for the supply of rationed articles in quantities specified in the authority.

77. After the issue of the initial allotment referred to in clause 74 an appointed wholesaler shall obtain his supplies by means of a Ration Authority showing the total amount of rationed articles sold to the appointed retailer and appointed establishment proprietor attached to him for supplies. The Permit Officer will, on the strength of the Ration Authority and on payment of the price of the rationed articles sanctioned on the authority, issue a delivery permit on the godown to which the wholesaler has been attached.

78. An appointed wholesaler referred to in this chapter <sup>1</sup>[shall maintain regular and accurate accounts of each rationed article obtained by him on ration documents and] shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith <sup>2</sup>[and the price at which any rationed article shall be sold].

### **<sup>3</sup>Chapter VIII—Kerosene.**

#### *A—General.*

79. Except as otherwise expressly provided, the provisions of these Regulations other than Chapter I and this chapter shall not apply in respect of Kerosene.

80. In this Chapter—

- (a) "Appointed Kerosene retailer" means a retail dealer appointed as a retailer under the provisions of paragraph 3 of the Bengal Rationing Order, 1943, in respect of Kerosene.
- (b) "Agent" means a person who has been appointed an Agent of an oil company by such company and has also been appointed a wholesaler under the provisions of paragraph 3 of the Bengal Rationing Order, 1943.
- (c) "Holder" means a person to whom a Kerosene Ration Card or a Kerosene Ration Permit has been issued under this chapter.
- (d) "Kerosene distribution centre" means a Kerosene shop maintained by an Agent for supply of Kerosene to appointed Kerosene retailers, Employers' shops and Establishments.
- (e) "Oil Company" means a firm specified in Schedule J to these Regulations.

<sup>1</sup>Inserted by notification No. 8758D.C.S., dated the 25th June, 1945.

<sup>2</sup>Added by notification No. 6280D.C.S., dated the 19th June, 1944.

<sup>3</sup>Inserted by notification No. 1325D.C.S., dated the 26th January, 1946.

- (f) "Sub-area" means an area as determined by the Director which is in charge of a Rationing Officer.
- (g) "Vehicle" means a cycle, rickshaw, hand cart, bullock cart, hackney carriage or a motor vehicle.

### *B—Kerosene Ration Card.*

81. For the purpose of obtaining on a ration document kerosene for lighting rooms which are not lit by electricity or gas in premises used for residence or both for residence and business, Kerosene Ration Cards issued under this chapter shall be the ration documents.

82. Except as otherwise expressly provided, a Kerosene Ration Card issued for the first time shall consist of 40 coupons and a Kerosene Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the 105th week, for which the coupon shall be valid:

Provided that the Provincial Government may, by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

83. Any holder of a Ration Card being the head of a family and occupying any room used for the purpose of residence or for the purpose of both residence and business, which is not lit by electricity or gas in any house, flat or holding in the Calcutta Industrial (Extended) Area to whom a Kerosene Ration Card has not been issued and who desires to have a Kerosene Ration Card issued to him shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer after making such inquiry as he deems fit for verification of the information furnished by the applicant shall issue a Kerosene Ration Card to the applicant.

84. The provisions of clauses 8, 9 and 10 shall, so far as may be, apply to a Kerosene Ration Card.

85. Each Kerosene Ration Card shall show the number of units allotted to the holder. The value of each unit on a Kerosene Ration Card shall be 33 oz. per four weeks:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on a Kerosene Ration Card.

86. No person shall obtain kerosene on a Kerosene Ration Card unless he—

- (a) signs or puts his thumb impression in the space provided for the purpose on the Kerosene Ration Card,
- (b) registers himself with an appointed kerosene retailer or a retailer in charge of an Employer's shop for the purpose of obtaining his supply of Kerosene,
- (c) complies with any other directions which may be issued on this account by the Director or the Controller.

87. A holder of a Kerosene Ration Card shall himself or through an Agent present the card to the appointed kerosene retailer or the retailer in charge of an Employer's shop specified on the card for the purpose of registration with such retailer and the retailer shall, after putting his

signature and seal on the Card, detach and retain the counterfoil thereof. The retailer shall preserve all such counterfoils and dispose of them as instructed by the Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, and shall enter in a register the number of the Kerosene Ration Cards and the units specified therein and any other particulars required by general or special order by the Joint Controller of Rationing, Hooghly or Barrackpore.

88. The holder of a Kerosene Ration Card registered with an appointed kerosene retailer or a retailer in charge of an Employer's shop shall purchase from such retailer his requirement of Kerosene for four weeks at a time.

89. On demand and offer of price by or on behalf of a holder of a Kerosene Ration Card the appointed kerosene retailer or the retailer in charge of an Employer's shop with whom such holder is registered shall supply to the holder Kerosene not exceeding the quantity obtainable on the card against cancellation of the appropriate coupons.

90. If any holder of a Kerosene Ration Card changes his residence to premises in the Calcutta Industrial (Extended) Area which is lit by electricity or gas or to any place outside such area he shall, within 10 days from the date on which such change of residence takes place, surrender the Kerosene Ration Card to the Rationing Officer of the sub-area in which he last resided and thereupon the Kerosene Ration Card shall be cancelled.

*C—Kerosene Ration Permit for Vehicles and Boats and for Refrigeration or Cooking.*

91. For the purpose of obtaining Kerosene on a ration document for use in vehicles or boats a Kerosene Ration Permit for Vehicles and Boats shall be the ration document and for use in cooking or refrigeration a Kerosene Ration Permit for Refrigeration or Cooking shall be the ration document.

92. (1) Any person who is the owner of a vehicle or a boat in the Calcutta Industrial (Extended) Area and requires Kerosene for illumination of such vehicle or boat at night and to whom a Kerosene Ration Permit for Vehicles and Boats has not been issued and who desires to have such a Permit issued to him shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, and produce to the said officer such evidence of his ownership of the vehicle or the boat, as may be required by the Rationing Officer in this behalf. The Rationing Officer after making such enquiry in this behalf as he deems fit shall issue a Kerosene Ration Permit for Vehicles and Boats to the applicant.

(2) Any person who is the owner of an oil-burning stove or a refrigerator in the Calcutta Industrial (Extended) Area and requires Kerosene for cooking or refrigeration and to whom a Kerosene Ration Permit for Refrigeration or Cooking has not been issued and who desires to have such a permit issued to him shall apply to the Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Director or the Controller, as the case may be, and produce to the said officer such evidence of his ownership of the stove or the refrigerators as may be required by the Rationing Officer in this behalf. The Rationing Officer after making such enquiry in this behalf as he deems fit shall issue a Kerosene Ration Permit for Refrigeration or Cooking to the applicant.

(3) Such permit shall be valid for the period specified in it and the period of validity may be extended from time to time by the Director or the Controller.

93. The provisions of clauses 29 and 29A shall apply to Kerosene Ration Permits for Vehicles and Boats or for Refrigeration or Cooking.

94. Each Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking shall show the number of units allotted to the holder. The value of each unit on a Kerosene Ration Permit shall be 22 oz. per calendar month:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on such Kerosene Ration Permit.

95. The provisions of clause 86 shall apply to any Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking as if such Kerosene Ration Permit were a Kerosene Ration Card.

96. The holder of a Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking shall purchase his monthly requirement of Kerosene at one time during the month and on demand and offer of price by him or on his behalf the retailer shall supply to the holder Kerosene not exceeding the quantity obtainable on the permit in a month.

97. If any holder of a Kerosene Ration Permit for Vehicles and Boats or for Refrigeration or Cooking transfers, or ceases to have, ownership in the Calcutta Industrial (Extended) Area, of the vehicle or boat or refrigerator or oil-burning stove in respect of which such permit was issued, he shall surrender the permit to the Rationing Officer by whom it was issued and thereupon the permit shall be cancelled.

*D—Kerosene Ration Permit for Establishments.*

98. For the purpose of obtaining Kerosene on a ration document for use in an establishment for operational purposes a Kerosene Ration Permit for Establishments issued under this Chapter shall be the ration document.

99. A Kerosene Ration Permit for Establishments may be issued to an establishment in the Calcutta Industrial (Extended) Area by the Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, on application made to him by the proprietor, manager or person in charge of such establishment, if the said officer is satisfied after verification of the information supplied in the application that Kerosene is required in the establishment for operational purposes.

100. The provisions of clauses 29 and 29A shall apply to a Kerosene Ration Permit for Establishments.

101. A Kerosene Ration Permit for Establishments shall be valid for the period specified on it:

Provided that the period of validity may be extended from time to time by the Director or the Controller.

102. Each Kerosene Ration Permit for Establishments shall show the number of units allotted to the establishment. The value of each unit on such Ration Permit shall be one imperial gallon per calendar month:

Provided that the Director or the Controller may, by general or special order, vary from time to time the value of a unit on such Kerosene Ration Permit.

103. No Kerosene shall be available on a Kerosene Ration Permit for Establishments unless the establishment in respect of which it has been issued has been registered with an Agent for the purpose of obtaining its supply of Kerosene.



104. A Kerosene Ration Permit for Establishments shall be presented to the Agent specified in the Permit for the purpose of registration with such Agent who shall thereupon put his signature and seal on the Permit and detach and retain the counterfoil thereof. The Agent shall preserve all such counterfoils and shall dispose of them as instructed by the Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, and shall enter in a register the number of the Permits and the units specified therein and any other particulars required by general or special order by the Joint Controller of Rationing, Hooghly or Barrackpore.

105. The holder of a Kerosene Ration Permit for Establishments shall purchase his monthly requirements of Kerosene at one time during the month.

106. On demand and offer of price by or on behalf of a holder of a Kerosene Ration Permit for Establishments the Agent with whom such holder is registered shall supply to the holder Kerosene not exceeding the quantity obtainable on the Permit in a month.

*E—Appointed Kerosene Retailers and Retailers in charge of Employers' shops.*

107. An appointed kerosene retailer and a retailer in charge of an Employer's shop shall maintain registers separately in respect of Kerosene Ration Cards and Kerosene Ration Permits registered with them in such forms as may be prescribed in this behalf by the Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, and shall maintain a Daily Stock Register in respect of the total quantity of Kerosene obtained by them and a Daily Sales Register in respect of Kerosene issued from their shops in such forms as may be prescribed by the Joint Controller of Rationing, Hooghly or Barrackpore.

108. Every appointed kerosene retailer and every retailer in charge of an Employer's shop shall submit to the Rationing Officer of the sub-area in which their shops are situated on such day of each week as may be determined by the Joint Controller of Rationing, Hooghly or Barrackpur, as the case may be, a Weekly Stock Return, Indent and Ration Authority Form duly filled in by them in triplicate. The Indent shall be for the week in which it is submitted. The Rationing Officer shall sign in the space provided for signature of the Deputy Controller of Rationing (Kerosene) and shall return two copies to the retailer and retain the third copy for his record. Thereafter the retailer shall submit one signed copy to the Agent to whom he has been attached for purposes of obtaining his supply of Kerosene. On demand and offer of price the Agent shall supply Kerosene to the retailer in quantities specified in such copy.

109. An appointed Kerosene retailer and a retailer in charge of an Employer's shop shall, in respect of their shops, maintain regular and accurate accounts of Kerosene obtained by them on ration documents and shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manager in which and the conditions subject to which Kerosene may be supplied or obtained or kept.

*F—Agent.*

110. Every Agent shall maintain a Kerosene Permit Register for each of his Kerosene distribution centres in respect of Kerosene Ration Permits registered with him in such form as may be prescribed by the Director or the Controller and a Daily Stock Register for each of his Kerosene distribution centres in respect of Kerosene received from his Oil Company in

such form as may be prescribed by the Director or the Controller and shall also maintain two separate Daily Sales Registers, one in respect of Kerosene issued to appointed Kerosene retailers and Employers' shops and the other in respect of Kerosene issued to establishments.

111. Every Agent shall submit to the Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, on such day of each week as may be determined by the said officer, a Weekly Stock Return, Indent and Ration Authority Form duly filled in by him in triplicate. The Indent shall be for the week in which it is submitted. The Joint Controller of Rationing, Hooghly or Barrackpore, as the case may be, after checking the Form shall sign and return two copies to the Agent. Thereafter the Agent shall submit one of the signed copies to his Oil Company who shall supply Kerosene to the Agent in quantities specified in such copy.

112. An Agent shall in respect of his Kerosene distribution centres maintain regular and accurate accounts of Kerosene obtained from his Oil Company and shall obey all general or special directions given in writing from time to time by the Director or the Controller concerning the manner in which and the conditions subject to which Kerosene may be supplied or obtained or kept.

### SCHEDULE A.

[See Regulation 2(3) ]

#### The Calcutta Industrial (Extended) Area.....

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

### SCHEDULE B.

(See Regulation 17.)

A coupon on a Ration Card on the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

1 Type of Ration Card.	2 Number of units.
Ration Cards in respect of persons above the age of 8 years.	Two.
Ration Cards in respect of persons of the age of 8 years and below.	Two in respect of sugar, mustard oil and salt and one in respect of other rationed articles.

\*Substituted by notification No. 3598D.C.S., dated the 14th March, 1946.

**SCHEDULE C.**

[See Regulation 18.]

The unit of a Ration Card shall be valued as follows:—

Rice husked or in the husk ...	}	in combination <sup>1</sup> [1 seer and 5 <i>chataks</i> in the case of a person who is not a heavy manual worker and 1 seer and 12 <i>chataks</i> in the case of a person who is a heavy manual worker].
Wheat and wheat products ...		
Sugar ...		<sup>2</sup> [2] <i>chataks</i> .
Salt ...		<sup>4</sup> [1½] <i>chatak</i> .]

<sup>5</sup>*Explanation*.—"Heavy manual worker" means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or Controller or any other officer authorised in writing by the Director or Controller in this behalf shall be final.

**SCHEDULE D.**

[See Regulation 31.]

<sup>6</sup>[The unit of each rationed article shall, for the purpose of a Ration Permit, be valued as follows]:—

	Seers.
Rice husked or in the husk ...	8
Atta ...	8
Flour ...	8
Sugar ...	5
<sup>3</sup> [Salt ...	1]

**SCHEDULE E.**

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker;

(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;

(2) in respect of Ration Cards of one unit—

(a) in the case of rice husked and in the husk—1 seer and 5 *chataks*;

(b) in the case of wheat and wheat products—1 seer.

*Explanation*.—"Heavy manual worker" has the same meaning as in Schedule C.

<sup>1</sup>Substituted by notification No. 3598D.C.S., dated the 14th March, 1946.

<sup>2</sup>Substituted by notification No. 2658D.C.S., dated the 15th March, 1945.

<sup>3</sup>Added by notification No. 8806D.C.S., dated the 1st September, 1944.

<sup>4</sup>Substituted by notification No. 13541D.C.S., dated the 10th November, 1945.

<sup>5</sup>Inserted by notification No. 3598D.C.S., dated the 14th March, 1946.

<sup>6</sup>Substituted by notification No. 8742D.C.S., dated the 24th August, 1944.

**SCHEDULE F.**

[See Regulations 21 and 22.]

List of Employers' Shops attached to an appointed wholesaler.

**SCHEDULE G.**

[See Regulations 21 and 22.]

List of Employers' Shops other than those in Schedule F.

**SCHEDULE H.**

[See Regulation 22.]

List of appointed retailers (excluding Schedules F and G).

**SCHEDULE I.**

[See Regulation 20.]

Consumers not attached to Employers' Shops shall register at any appointed retailer's shop including a Government Store within the A.R.P. Sub-Area where they reside or to which they have been attached by order of the Director or the Controller.

**SCHEDULE J.**

1. Burma-Shell Oil Storage and Distributing Co. of India, Ltd.
2. Standard-Vacuum Oil Co.
3. Indo-Burma Petroleum Co., Ltd.
4. Caltex (India), Ltd.

**FORMS.****Form AR-1 (Parts A and B).**

[See Regulation 42.]

**Register of Registered Ration Card/Permit holders.**

Serial No.	Number of Ration Card (A), Ration Permit (B).	Name.	Address.	Units.	Initials of R. O. after check with counterfoil.	Cancellation.		Remarks.
						Date.	Reason.	

**FORM ES.-I.**

[See Regulations 47 and 53.]

1	2	3	4	5	6	7		8
Serial No.	No. of Ration Card or Serial No. in Register.*	Name.	Address.	Units.	Initials of D.C.R., Employers' Shops after check.	Cancellation.		Remarks.
						Date.	Reason.	

\*Only for cases where the maintenance of Register F-II has been specifically authorised.

\*Inserted by notification No. 1325 D.C.S., dated the 26th January, 1946.

**FORM ESTABLISHMENTS No. 5.**

[See Regulation 61.]

**Register of Bread Tickets (to be maintained by manufacturing establishments).**

Serial No.	Total No. of Bread Tickets.	Bread Units.	Initials of D. C. B.
------------	-----------------------------	--------------	----------------------

**FORM ESTABLISHMENTS No. 6.**

[See Regulation 72.]

**Register of Ration Authorities (to be maintained by appointed Flour Mills).**

Serial No.	Ration Authority No.	Units.	Quantity.	Initials of Permit Officers.
------------	----------------------	--------	-----------	------------------------------

**FORM ESTABLISHMENTS No. 7.**

[See Regulation 41.]

**Daily Consumption Register.**

Name of rationed article.....

Month and date.	Opening balance.	Quantities received.	Source of supply.	Total to be accounted for.	Consumption/ Use in manufacture.	Balance.	Remarks.
-----------------	------------------	----------------------	-------------------	----------------------------	----------------------------------	----------	----------

**FORM F-II.**

[See Regulations 47 and 52.]

Factory/Mill.....

Serial No.	Name of the worker (in block letters).	Address with thana and village.	Date of joining factory.	Date of leaving factory.	Rations drawn for weeks.													
					14	15	16	17	18	19	20	21	22	23	24	25	26	

Serial No.	Name of the worker (in block letters).	Address with thana and village.	Date of joining factory.	Date of leaving factory.	Rations drawn for weeks.													
					27	28	29	30	31	32	33	34	35	36	37	38	39	

Serial No.	Name of the worker (in block letters).	Address with thana and village.	Date of joining factory.	Date of leaving factory.	Rations drawn for weeks.													
					40	41	42	43	44	45	46	47	48	49	50	51	52	

*Notification No. 8538D.C.S., dated the 26th August, 1944 (published in the "Calcutta Gazette" of the 31st August, 1944, Pt. I, p. 1081).*

In pursuance of the provisions of clause 30 of the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, the Governor is pleased to direct that the Ration Permits issued for the second time shall have 30 coupons.

*Notification No. 2223D.C.S., dated the 3rd March, 1945 (published in the "Calcutta Gazette" of the 8th March, 1945, Pt. I, p. 383).*

In pursuance of the provisions of clause 30 of the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, the Governor is pleased to direct that the Ration Permits issued for the third time shall have 26 coupons.

*Notification No. 1031(L.L.), dated the 10th July, 1945 (published in the "Calcutta Gazette" of the 12th July, 1945, Pt. I, p. 1186).*

Under clauses 46 and 51 of the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, and in supersession of notification No. 20.C.R., dated the 19th June, 1944, published in Part I of the *Calcutta Gazette*, dated the 22nd June, 1944, I hereby direct that in the Calcutta Industrial (Extended) Area as specified in Schedule "A" to the said Regulations, each appointed retailer shall sell, with effect from the 16th July, 1945, the different grades of rice as determined by the Provincial Government and mentioned in column 1 of the Schedule below at prices not exceeding those specified in the corresponding entries in column 2 of that Schedule:—

#### Schedule.

1	2
Grades of rice.	Price per seer.
Grade "A" ... ..	10 as. (ten annas).
Grade "B" ... ..	6 as. 6 ps. (six annas and six pies).
Grade "C" ... ..	4 as. (four annas).

*Notification No. 10216D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary", of the 4th August, 1945, p. 183).*

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Dacca-Narayangunj Urban Area, namely:—

### The Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

#### Chapter I—General.

1. These Regulations may be called the Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

2. In these Regulations unless there is anything repugnant in the subject or context—

(1) (a) all expressions used but not defined in these Regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and

(b) the expression "distributor" where used in any ration document means an appointed retailer and includes an appointed retailer in charge of an employer's shop referred to in these Regulations;

- (2) "Dacca-Narayangunj Urban Area" means the area specified in Schedule A;
- (3) "Director" means the Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, and includes the Additional Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal;
- (4) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (5) "Government godown" means a depot established under the Department of Civil Supplies for the purpose of the storage of rationed articles and their supply to appointed wholesalers under these Regulations;
- (6) "Order" means the Bengal Rationing Order, 1943;
- (7) "Permit Officer" means the officer appointed as such by the District Magistrate of Dacca with the approval of the Provincial Government;
- (8) "Schedule" means a Schedule appended to these Regulations;
- (9) "Sub-area" means an area, as determined by the Director, which is in charge of an Assistant Rationing Officer;
- (10) (a) "Town Rationing Officer" means an officer appointed as such by the Provincial Government; and
- (b) "Assistant Rationing Officer" means an officer appointed as such by the District Magistrate of Dacca, with the approval of the Provincial Government;
- (11) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor or a lunatic or a person of unsound mind be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

## *Chapter II—Household Consumption.*

4. In clauses 5, 14, 15 and 24 of this Chapter "animal" means a horse, cow, bullock, bull or buffalo.

5. For the purposes of household consumption in the Dacca-Narayangunj Urban Area, Ration Cards and "Salt Ration Cards for animals" issued under this chapter, shall be the ration documents.

6. Save as otherwise expressly provided a Ration Card issued for the first time shall consist of 26 coupons, and a Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official*

- *Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

7. Any person residing or intending to reside in the Dacca-Narayangunj Urban Area otherwise than in a residential establishment to whom a Ration Card has not been issued and who desires to have a Ration Card issued shall apply to the Assistant Rationing Officer of the Sub-Area in which he resides or intends to reside or to which he is attached by order of the Town Rationing Officer having jurisdiction in that area, furnishing true and correct information in such form as the Assistant Rationing Officer may require. The Assistant Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

8. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's forces or of the forces of any nation in alliance with His Majesty or if he resides in a residential establishment.

9. No person shall obtain or attempt to obtain a Ration Card by furnishing false information.

10. (1) No person shall obtain or attempt to obtain any rationed article by the use of more than one Ration Card issued in his name or by the use of a Ration Card issued in the name of any person who is for the time being not resident within rationed area or by the use of a Ration Card the possession of which is not authorised by or under the Order or by furnishing false information. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact and surrender the extra card or cards so issued, to the Assistant Rationing Officer having jurisdiction in the area in which he resides or to which he is attached by order of the Town Rationing Officer having jurisdiction in that area as the case may be. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's forces or the authorities of the forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed articles by the use of any Ration Card issued in his name and every such person shall forthwith surrender the Ration Card to the Assistant Rationing Officer by whom it was issued.

11. A temporary Ration Card shall be issued by the Assistant Rationing Officer to any person who has made an application under clause 7 after the rationing date, if the period of his stay in the Dacca-Narayangunj Urban Area is likely to be more than one week but not more than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Assistant Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Assistant Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the card shall be extended accordingly. On such extension the Assistant Rationing



Officer shall issue an intimation thereof to the appointed retailer with whom the card is registered. This intimation shall be retained by the appointed retailer.

12. A Ration Card, other than a temporary Ration Card, shall be issued to any person who has made an application under clause 7 after the rationing date and who intends to stay in the Dacca-Narayangunj Urban Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Dacca-Narayangunj Urban Area shall be cancelled:

Provided that pending the issue of a Ration Card under this clause the Assistant Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 11.

13. The person to whom a Ration Card has been issued shall be termed the "holder" in respect of that card. Each Ration Card shall show the number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below:

Provided that in relation to the sugar and salt rations each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

14. (1) Any holder of a Ration Card who has any animal or animals belonging to him in the Dacca-Narayangunj Urban Area and desires to have issued to him a Salt Ration Card or Cards for such animal or animals, shall apply to the Assistant Rationing Officer of the sub-area in which he resides furnishing true and correct information in such form as the Assistant Rationing Officer may require. The Assistant Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

(2) After the verification referred to in sub-clause (1) one Salt Ration Card for each animal so belonging to the applicant shall be issued to him and each such card shall consist of such number of coupons as may be fixed by the Director:

Provided that no such Salt Ration Cards shall be issued if the number of animals belonging to the applicant exceeds five.

(3) A Salt Ration Card for an animal shall have the value of two units and the quantity of salt obtainable on each unit on such a card shall be one *chatak*.

(4) The provisions of clauses 8, 9 and 10 shall apply to Salt Ration Cards for animals as they apply in relation to Ration Cards.

(5) Every holder of a Salt Ration Card for an animal shall register himself with the appointed retailer with whom he is registered in respect of his Ration Card and the provisions of clause 23 shall in so far as may be, apply to the registration of Salt Ration Cards for animals as they apply to the registration of Ration Cards.

15. Any holder of a Ration Card who has obtained a Salt Ration Card or Cards for an animal or animals shall notify in writing to the Assistant Rationing Officer by whom the Salt Ration Card or Cards was or were issued the death or any transfer from his possession of any such animal or any reduction in the number of any such animals owing to any other cause within ten days from the date on which such death, transfer or reduction takes place.

16. Every person recorded as the head of a family shall, and any member of the family may, notify in writing to the Assistant Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Town Rationing Officer having jurisdiction in that sub-area any reduction in the number of members of the family due to death or to absence from the Dacca-Narayangunj Urban Area for more than seven days or to any other cause. Such notice shall be given within ten days from the date on which such reduction in the number of members of the household takes place.

17. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

18. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C:

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.

19. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card:

Provided that if the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind the signature or thumb impression of the head of the family may be given instead;

(b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;

(c) complies with any other directions which may be issued on this account by the Town Rationing Officer.

20. (1) A holder of a Ration Card who is not the employee of an employer having an employer's shop, shall register himself with an appointed retailer, not being a retailer in charge of an employer's shop, of the sub-area in which such holder resides or to which the holder has been attached by order of the Town Rationing Officer having jurisdiction in that sub-area:

Provided that the Town Rationing Officer may by order attach any person or class of persons to any particular shop.

(2) A holder of a Ration Card who is the employee of an employer having an employer's shop shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family unless debarred by the proviso to sub-clause (a) of clause 21 may register with the employer.

21. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

(a) such retailer is an employer having an employer's shop and the holder is his employee or a dependant of his employee whose card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceeds three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

(b) such retailer is a person other than a person having an employer's shop:

Provided that he shall refuse to register such holder, if the registration is not being made in accordance with the provisions contained in sub-clause (1) of clause 20, unless the holder has been attached to such retailer by order of the Town Rationing Officer:

Provided further that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed 1,500 permanent cards and 200 temporary cards.

22. Notwithstanding anything contained in the second proviso to sub-clause (b) of clause 21, an appointed retailer shall register Salt Ration Cards for animals belonging to those families any member of which has registered his permanent or temporary Ration Card with him.

23. (1) Subject to the provisions contained in clause 20, a holder of a Ration Card shall get himself registered in the following manner, namely:—

(a) he shall himself or through an agent present the Ration Card to an appointed retailer in order to enable the appointed retailer to enter his name, address, signature and shop No. in the Ration Card and in the counterfoil thereof; and

(b) he shall himself or through an agent permit the appointed retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him and in the counterfoil thereof his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the Town Rationing Officer. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the Director.

24. (1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket referred to in clause 26 shall purchase his requirements of rationed articles for one week at a time and at one time during that week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall accordingly supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card other than the holder of a temporary Ration Card shall purchase his requirement of salt for four weeks at a time:

Provided further that the holder of a Ration Card registered with an employer's shop may purchase his requirements for two weeks at a time in cases where the employer's shop has been specially authorised by the Town Rationing Officer to issue rationed articles for two weeks at a time.

(2) The provisions of sub-clause (1) shall apply to the supply of salt under a Salt Ration Card for an animal as they apply to the supply of salt under a Ration Card.

(3) The appointed retailer shall comply with such other directions as may be issued by the Director or any officer authorised by the Director in this behalf.

25. Notwithstanding anything contained in clauses 19, 20 and 21 the Town Rationing Officer or Assistant Rationing Officer may issue instructions transferring the name of a person registered with an appointed retailer from such retailer to another appointed retailer.

26. (1) The Director may authorise any Town Rationing Officer to issue a Civil Ration Ticket to a person belonging or attached to, or employed with, His Majesty's forces or belonging or attached to, or employed with, the forces of any nation in alliance with His Majesty who is within the Dacca-Narayanganj Urban Area on leave and is not in receipt of any rationed article from the authorities of such forces, on application made by such person in that behalf to the Town Rationing Officer having jurisdiction in the area in which he resides furnishing true and correct information in such form as the Town Rationing Officer may require. Before authorising the issue of such Ration Ticket the Town Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant. A Town Rationing Officer when so authorised by the Director shall issue such Ration Ticket to the applicant which shall be valid for one week only and the provisions of clauses 13, 17 and 18 shall apply to such Ration Ticket as they apply to a Ration Card issued under clause 11.

(2) On demand and offer of price by or on behalf of a holder of a Civil Ration Ticket issued under sub-clause (1) any appointed retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### *Chapter III—Establishments.*

27. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

28. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

29. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

30. No person shall obtain or attempt to obtain any rationed article by the use of a Ration Permit the possession of which is not authorised by or under the Order.

31. Such permits issued for the first time shall have four coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article allotted.

32. The unit of each rationed article shall for the purpose of the Ration Permits have the value allotted to it in Schedule D.

33. A Ration Permit over-printed with a diagonal red line shall be registered with an appointed retailer of the sub-area in which the establishment is situated and a Ration Permit not so over-printed shall be registered with the Assistant Rationing Officer of the sub-area in which the establishment is situated or to which he may be attached by order of the Town Rationing Office having jurisdiction in that sub-area:

Provided that a Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

34. No holder of a Ration Permit shall obtain any rationed article on such permit until he registers himself in accordance with the provisions contained in clause 33.

35. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 19, 21, 23 and 24 shall, in so far as may be, apply as if the permit were a Ration Card:

Provided that the limit specified under the second proviso to sub-clause (b) of clause 21 shall not apply in respect of Ration Permits:

Provided further that the total number of Ration Permits that may be registered with an appointed retailer shall not exceed 15.

36. (1) Where a Ration Permit is to be registered with the Assistant Rationing Officer it shall be done in the following manner:—

- (a) the permit holder shall himself or through an agent present the Ration Permit to the Assistant Rationing Officer of the sub-area in which the establishment is situated; and
- (b) he shall himself or through an agent permit the Assistant Rationing Officer to detach and retain the counterfoil of the Ration Permit.

(2) The Assistant Rationing Officer shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Assistant Rationing Officer shall then detach and retain with him the counterfoil of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

37. The holder of a Ration Permit registered with the Assistant Rationing Officer shall submit to him once every week an indent for the rationed articles. On the basis of such indent and against cancellation of the appropriate coupon, the Assistant Rationing Officer shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid:

Provided that in specifying the number of maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

38. (1) The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer and the other copy shall be given to the permit-holder.

(2) The Ration Authority shall be valid for the period specified on it.

39. The holder of the Ration Authority shall submit it to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the holder and on demand and offer of price by or on behalf of the holder shall supply to him rationed articles in quantities specified in the Ration Authority.

40. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

41. An appointed establishment proprietor shall in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or any officer authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith.

*Chapter IV—Appointed Retailers other than Employers' Shops.*

42. An appointed retailer not being a retailer in charge of an employer's shop shall maintain a register in Form A.R.I (Parts A and B) in respect of the Ration Cards and Ration Permits registered with him and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. The appointed retailer shall specify in the register maintained in Form A.R.I the total number of units registered with him in respect of each rationed article.

43. (1) Once a week on a day to be specified by the Assistant Rationing Officer having jurisdiction in the area where the shop of an appointed retailer is situated, the appointed retailer shall submit to him an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). Along with the indent, the appointed retailer shall produce the registers mentioned in clause 42 together with the counterfoils of the Ration Cards and Ration Permits registered with him to the Assistant Rationing Officer. The Assistant Rationing Officer shall after checking the registers return them to the appointed retailer and shall then issue a Ration Authority to him specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Assistant Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the ration authority shall not be less than the maximum of each rationed article obtainable according to the total number of units registered with an appointed retailer.

(3) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

44. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

45. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer having jurisdiction in the area. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

46. An appointed retailer not being a retailer in charge of an employer's shop shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

*Chapter V—Employers' Shops.*

47. An appointed retailer, being a person in charge of an employer's shop, shall maintain a register in Form E.S. I and a daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. Such appointed retailer shall specify in the register maintained in Form E.S. I the total number of units registered with him in respect of each rationed article. He shall submit the registers together with the counterfoils of the Ration Cards registered with him to the Town Rationing Officer having jurisdiction in the area where the employer's shop is situated, when so required by him.

48. (1) Once a week on a day to be specified by the Town Rationing Officer having jurisdiction in the area where the employer's shop is situated, an appointed retailer being a person in charge of such an employer's shop shall submit to the Town Rationing Officer, a return of all stocks of rationed articles in his shop and an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). The Town Rationing Officer shall then issue a Ration Authority to such retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(3) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

49. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer.

50. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by the Town Rationing Officer having jurisdiction in the area. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

51. An appointed retailer being a person in charge of an employer's shop, shall, in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such person as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such article.

52. An appointed retailer being a person in charge of an employer's shop, who has been authorised under the Order or under these Regulations to issue rationed articles to such of the employees as do not reside in the Dacca-Narayanganj Urban Area, otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-II appended to these Regulations:

Provided that the rations issued to such persons shall be on the scale laid down for the holder of a Ration Card.

### *Chapter VI—Appointed Wholesalers.*

53. An appointed wholesaler shall maintain a Stock Register of all rationed articles issued to him in such form as may be specified by the Director. He shall submit the register to the Town Rationing Officer when so required by him.

54. For the initial allotment of rationed articles each appointed wholesaler shall receive before the rationing date from the Town Rationing Officer of Dacca or the Town Rationing Officer of Narayanganj, as the case may be, a Ration Authority specifying in terms of standard maunds the quantity of each rationed article which shall be obtainable by the appointed wholesaler.

55. Subsequently, once a week the appointed wholesaler shall submit an indent to the Town Rationing Officer of Dacca or the Town Rationing Officer of Narayanganj, as the case may be for rationed articles showing the total amount of rationed articles issued to the appointed retailers and appointed establishment proprietors allotted to him. The Town Rationing Officer shall issue to such wholesaler a Ration Authority specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable thereon by the appointed wholesaler:

Provided that in specifying the number of such maunds and seers, the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

56. The Ration Authority shall be submitted by the appointed wholesaler to the Permit Officer along with a receipted treasury challan to cover the price of the rationed articles and the Permit Officer shall thereupon issue a Delivery Permit or Permits on the officer in charge of the Government godown to which such wholesaler has been attached for the supply of rationed articles in quantities specified in the Ration Authority.

57. On presentation of such Delivery Permit or Permits by or on behalf of the holder thereof at the Government godown to which the wholesaler has been attached the officer in charge of the Government godown shall issue rationed articles to such holder in quantities specified in the Delivery Permit or Permits.

58. An appointed wholesaler shall maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed wholesaler shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.



**SCHEDULE A.****The Dacca-Narayangunj Urban Area.**

[See sub-clause (2) of clause 2.]

I. (1) The whole of police-stations (a) Kotwali, (b) Lalbagh and (c) Sutrapur in the district of Dacca and the mauza Bara Magbazar bearing jurisdiction list No. 280 in the C. S. khatians within the police-station Tejgaon in the said district.

(2) The part of mauza No. 286 Rajarbagh covered by C.S. plot Nos: 270 to 286 and 1129 within the police-station Tejgaon in the district of Dacca.

(3) That part of mauza No. 342 Brahman Chiran which falls within the police-station Tejgaon in the district of Dacca.

II. (1) The municipality of Narayangunj in the district of Dacca.

(2) The part of mauza Masdair bearing J.L. No. 191 covered by C.S. plot Nos. 192, 467 to 473, 475 to 481, 781 and 789 within the police-station Fatulla in the district of Dacca.

(3) The part of mauza Isdair bearing J.L. No. 192 covered by C.S. plot Nos. 167, 174 to 186, 188 to 192, 196, 198 and 206 to 218 within the police-station Fatulla in the district of Dacca.

(4) The part of mauza Chasara bearing J.L. No. 189 covered by C.S. plot Nos. 1 to 65 and 67 to 84 within the police-station Fatulla in the district of Dacca.

(5) The part of mauza Khanpur bearing J. L. No. 193 covered by C. S. plot Nos. 302, 303 and 307 to 330 within the police-station Fatulla in the district of Dacca.

(6) The premises of—

(a) the Lakshinarayan Cotton Mills, Limited,

(b) the Narayangunj Company, Limited,

(c) the Chittaranjan Cotton Mills, Limited,

(d) the Dhakeswari Cotton Mills No. 2, Limited,

(e) the Sonachara Dock of the India General and River Steam Navigation Company, Limited,

(f) the Dhakeswari Cotton Mills No. 1, Limited, and

(g) the Bose's Glass Factory

covered by C.S. plot Nos. 538, 541 to 550, 552, 553, 590 to 593, 596, 597, 599 to 605, 607 to 652, 661 to 729, 1026, 1038, 1042 to 1069, 1079, 1080, 1467 to 1470, 1483 to 1491, 1513 to 1524 and 1882 to 1890 in mauza Godnail bearing J.L. No. 204 within the police-station Fatulla, C.S. plot Nos. 487 to 498, 500 to 503, 509 to 520, 659 to 678 and 719 to 749 in mauza Laksmankhola bearing J.L. No. 206 within the police-station Narayangunj and C.S. plot Nos. 694 to 697, 729, 730, 732 to 735, 737 to 844, 855 to 906, 2199 to 2205, 2134, 2135, 2137, 1056, 1057 and 2182 to 2198 in mauza Dhamghar bearing J.L. No. 207 within the police-station Narayangunj in the district of Dacca.

(7) The premises of Landale and Clarke and Company covered by C.S. plot Nos. 494 and 502 in mauza Madanganj bearing J.L. No. 252 within the police-station Narayangunj in the district of Dacca.

<sup>1</sup>(8) Village Saydabad within mauza Dayaganj bearing jurisdiction list No. 340 in police-station Tejgaon in the district of Dacca.

<sup>1</sup>Inserted by notification No. 14248 D. C. S., dated the 1st December, 1945.

**SCHEDULE B.**

(See clause 17.)

A coupon on a Ration Card of the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

1 Type of Ration Card.	2 Number of Units.
Ration Cards in respect of persons above the age of 8 years.	2.
Ration Cards in respect of persons of the age of 8 years and below.	2 in respect of sugar and salt and 1 in respect of other rationed articles.

**SCHEDULE C.**

(See clause 18.)

The unit of a Ration Card shall be valued as follows:—

Rice husked and in the husk }  
Wheat and wheat products } in combination ... [1 seer and 5 chataks in the case of a person who is not a heavy manual worker and 1 seer and 12 chataks in the case of a person who is a heavy manual worker].

Sugar ... 2 chataks.

Salt ... [1½] chataks.

<sup>3</sup>Explanation.—“Heavy manual worker” means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or any other officer authorised in writing by the Director in this behalf shall be final.

**SCHEDULE D.**

(See clause 32.)

The unit of each rationed article shall, for the purpose of a Ration Permit, be valued as follows:—

	Seers.
Rice husked and in the husk	5
Wheat	5
Flour	5
Sugar	1
Salt	½

<sup>1</sup>Substituted by notification No. 3599 D.C.S., dated the 14th March, 1946.

<sup>2</sup>Substituted by notification No. 13542 D.C.S., dated the 10th November, 1945.

<sup>3</sup>Inserted by notification No. 3599 D.C.S., dated the 14th March, 1946.

**SCHEDULE E.**

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker,

(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;

(2) in respect of Ration Cards of one unit—

(a) in the case of rice husked and in the husk—1 seer and 5 *chataks*;

(b) in the case of wheat and wheat products—1 seer.

*Explanation.*—"Heavy manual worker" has the same meaning as in Schedule C.

**FORMS.****Form AR-1 (Parts A and B).**

(See clause 42.)

*Register of Registered Ration Card/Permit Holders.*

Serial No.	Number of Ration Card (A) Ration Permit (B).	Name.	Address.	Units.	Initials of A. B. O. after check with counterfoil.	Cancellation.		Remarks.
						Date.	Reasons.	

**FORM ES.-1.**

(See clause 47.)

Serial No.	Number of Ration Card or Serial No. in F-II Register.*	Name.	Address.	Units.	Initials of Town Rationing Officer after check.	Cancellation.		Remarks
						Date.	Reason.	

\*Only for cases where the maintenance of Register F-II has been specially authorised.

<sup>1</sup>Substituted by notification No. 3599 D.C.S., dated the 14th March, 1946.

**F-II Register.**

(See clause 52.)

Name of Appointed Retailer.....

Shop No. E.S.....

Address.....

Serial No.	Full name.	Father's name.	Address in full (if within municipal area, the name of the municipality and if in a village, the name of the village, post-office, thana and district).	Occupation and Ticket or Token No.	Age.	Signature of Town Rationing Officer.	Registration.		Cancellation.		Remarks.
							Date.	E.S.I. Serial No.	Date.	Reason.	
1	2	3	4	5	6	7	8		9		10

**Daily Sales Register.**

(See clauses 42 and 47.)

Shop No..... Week No.....

Address..... From..... 194..... to..... 194.....

Serial No.	Cash Memo. No.	R. C. R. F.	Rice.	Wheat.	Flour.	Atta.
1	2	3	4	5	6	7
			Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.

Dal.	Sugar.				Amount.
8	9	10	11	12	13
Mds. ars. chs.	Mds. ars. ch.	Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.	Rs. a. p.

*Notification No. 12986 D. C. S., dated the 27th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1766).*

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Comilla Urban Area, namely:—

## **The Comilla Urban Area Rationing Regulations, 1945.**

### *Chapter I—General.*

1. These Regulations may be called the Comilla Urban Area Rationing Regulations, 1945.

2. In these Regulations unless there is anything repugnant in the subject or context—

- (1) (a) all expressions used but not defined in these Regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and
- (b) the expression "distributor" where used in any ration document means an appointed retailer and includes an appointed retailer in charge of an employer's shop referred to in these Regulations;
- (2) "Comilla Urban Area" means the area specified in Schedule A;
- (3) "Director" means the Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, and includes the Additional Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal;
- (4) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (5) "Government godown" means a depot established under the Department of Civil Supplies for the purpose of the storage of rationed articles and their supply to appointed wholesalers under these Regulations;
- (6) "Order" means the Bengal Rationing Order, 1943;
- (7) "Permit Officer" means the officer appointed as such by the District Magistrate of Tippera with the approval of the Provincial Government;
- (8) "Schedule" means a Schedule appended to these Regulations;
- (9) "Sub-area" means an area, as determined by the Director, which is in charge of an Assistant Rationing Officer;
- (10) (a) "Town Rationing Officer" means the Town Rationing Officer of Comilla appointed by the Provincial Government; and
- (b) "Assistant Rationing Officer" means an officer appointed as such by the District Magistrate of Tippera, with the approval of the Provincial Government;
- (11) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor or a lunatic or a person of unsound mind be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

### *Chapter II—Household Consumption.*

4. In clauses 5, 14, 15 and 24 of this Chapter "animal" means a horse, cow, bullock, bull or buffalo.

5. For the purposes of Household consumption in the Comilla Urban Area, Ration Cards and "Salt Ration Cards for animals" issued under this chapter, shall be the ration documents.

6. Save as otherwise expressly provided a Ration Card issued for the first time shall consist of 26 coupons, and a Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

7. Any person residing or intending to reside in the Comilla Urban Area otherwise than in a residential establishment to whom a Ration Card has not been issued and who desires to have a Ration Card issued shall apply to the Assistant Rationing Officer of the Sub-Area in which he resides or intends to reside or to which he is attached by order of the Town Rationing Officer furnishing true and correct information in such form as the Assistant Rationing Officer may require. The Assistant Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

8. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's forces or of the forces of any nation in alliance with His Majesty or if he resides in a residential establishment.

9. No person shall obtain or attempt to obtain a Ration Card by furnishing false information.

10. (1) No person shall obtain or attempt to obtain any rationed article by the use of more than one Ration Card issued in his name or by the use of a Ration Card issued in the name of any person who is for the time being not resident within the rationed area or by the use of a Ration Card the possession of which is not authorised by or under the Order or by furnishing false information. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact and surrender the extra card or cards so issued, to the Assistant Rationing Officer having jurisdiction in the area in which he resides or to which he is attached by order of the Town Rationing Officer as the case may be. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's forces or the authorities of the forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed article by the use of any Ration Card issued in his name and every such person shall forthwith surrender the Ration Card to the Assistant Rationing Officer by whom it was issued.

11. A temporary Ration Card shall be issued by the Assistant Rationing Officer to any person who has made an application under clause 7 after the rationing date, if the period of his stay in the Comilla Urban Area is likely to be more than one week but not more than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Assistant Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Assistant Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the card shall be extended accordingly. On such extension the Assistant Rationing Officer shall issue an intimation thereof to the appointed retailer with whom the card is registered. This intimation shall be retained by the appointed retailer.

12. A Ration Card, other than a temporary Ration Card, shall be issued to any person who has made an application under clause 7 after the rationing date and who intends to stay in the Comilla Urban Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Comilla Urban Area shall be cancelled:

Provided that pending the issue of a Ration Card under this clause the Assistant Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 11.

13. The person to whom a Ration Card has been issued shall be termed the "holder" in respect of that card. Each Ration Card shall show the number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below:

Provided that in relation to the sugar and salt rations each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

14. (1) Any holder of a Ration Card who has any animal or animals belonging to him in the Comilla Urban Area and desires to have issued to him a Salt Ration Card or Cards for such animal or animals, shall apply to the Assistant Rationing Officer of the Sub-area in which he resides furnishing true and correct information in such form as the Assistant Rationing Officer may require. The Assistant Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

(2) After the verification referred to in sub-clause (1) one Salt Ration Card for each animal so belonging to the applicant shall be issued to him and each such card shall consist of such number of coupons as may be fixed by the Director:

Provided that no such Salt Ration Cards shall be issued if the number of animals belonging to the applicant exceeds five.

(3) A Salt Ration Card for an animal shall have the value of two units and the quantity of salt obtainable on each unit on such a card shall be one *chatak*.

(4) The provisions of clauses 8, 9 and 10 shall apply to Salt Ration Cards for animals as they apply in relation to Ration Cards.

(5) Every holder of a Salt Ration Card for an animal shall register himself with the appointed retailer with whom he is registered in respect of his Ration Card and the provisions of clause 23 shall in so far as may be, apply to the registration of Salt Ration Cards for animals as they apply to the registration of Ration Cards.

15. Any holder of a Ration Card who has obtained a Salt Ration Card or Cards for an animal or animals shall notify in writing to the Assistant Rationing Officer by whom the Salt Ration Card or Cards was or were issued the death or any transfer from his possession of any such animal or any reduction in the number of any such animals owing to any other cause within ten days from the date on which such death, transfer or reduction takes place.

16. Every person recorded as the head of a family shall, and any member of the family may, notify in writing to the Assistant Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Town Rationing Officer any reduction in the number of members of the family due to death or to absence from the Comilla Urban Area for more than seven days or to any other cause. Such notice shall be given within ten days from the date on which such reduction in the number of members of the household takes place.

17. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

18. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C:

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.

19. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card;

Provided that if the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind the signature or thumb impression of the head of the family may be given instead;

(b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;

(c) complies with any other directions which may be issued on this account by the Town Rationing Officer.

20. (1) A holder of a Ration Card who is not the employee of an employer having an employer's shop, shall register himself with an appointed retailer, not being a retailer in charge of an employer's shop, of the sub-area in which such holder resides or to which the holder has been attached by order of the Town Rationing Officer:

Provided that the Town Rationing Officer may by order attach any person or class of persons to any particular shop.

(2) A holder of a Ration Card who is the employee of an employer having an employer's shop shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family unless debarred by the proviso to sub-clause (a) of clause 21 may register with the employer.



21. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

- (a) such retailer is an employer having an employer's shop and the holder is his employee or a dependant of his employee whose card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceed three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

- (b) such retailer is a person other than a person having an employer's shop:

Provided that he shall refuse to register such holder, if the registration is not being made in accordance with the provisions contained in sub-clause (1) of clause 20, unless the holder has been attached to such retailer by order of the Town Rationing Officer:

Provided further that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed 1,500 permanent cards and 200 temporary cards.

22. Notwithstanding anything contained in the second proviso to sub-clause (b) of clause 21, an appointed retailer shall register Salt Ration Cards for animals belonging to those families any member of which has registered his permanent or temporary Ration Card with him.

23. (1) Subject to the provisions contained in clause 20, a holder of a Ration Card shall get himself registered in the following manner, namely:—

- (a) he shall himself or through an agent present the Ration Card to an appointed retailer in order to enable the appointed retailer to enter his name, address, signature and shop No. in the Ration Card and in the counterfoil thereof; and

- (b) he shall himself or through an agent permit the appointed retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him and in the counterfoil thereof his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the Town Rationing Officer. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the Director.

24. (1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket referred to in clause 26 shall purchase his requirements of rationed articles for one week at a time and at one time during that week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall accordingly supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card other than the holder of a temporary Ration Card shall purchase his requirement of salt for four weeks at a time:

Provided further that the holder of a Ration Card registered with an employer's shop may purchase his requirements for two weeks at a time in

cases where the employer's shop has been specially authorised by the Town Rationing Officer to issue rationed articles for two weeks at a time.

(2) The provisions of sub-clause (1) shall apply to the supply of salt under a Salt Ration Card for an animal as they apply to the supply of salt under a Ration Card.

(3) The appointed retailer shall comply with such other directions as may be issued by the Director or any officer authorised by the Director in this behalf.

25. Notwithstanding anything contained in clauses 19, 20 and 21 the Town Rationing Officer or Assistant Rationing Officer may issue instructions transferring the name of a person registered with an appointed retailer from such retailer to another appointed retailer.

26. (1) The Director may authorise the Town Rationing Officer to issue a Civil Ration Ticket to a person belonging or attached to, or employed with, His Majesty's forces or belonging or attached to, or employed with, the forces of any nation in alliance with His Majesty who is within the Comilla Urban Area on leave and is not in receipt of any rationed article from the authorities of such forces, on application made by such person in that behalf to the Town Rationing Officer furnishing true and correct information in such form as the Town Rationing Officer may require. Before authorising the issue of such Ration Ticket the Town Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant. The Town Rationing Officer when so authorised by the Director shall issue such Ration Ticket to the applicant which shall be valid for one week only and the provisions of clauses 13, 17 and 18 shall apply to such Ration Ticket as they apply to a Ration Card issued under clause 11.

(2) On demand and offer of price by or on behalf of a holder of a Civil Ration Ticket issued under sub-clause (1) any appointed retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### *Chapter III—Establishments.*

27. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

28. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

29. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

30. No person shall obtain or attempt to obtain any rationed article by the use of a Ration Permit the possession of which is not authorised by or under the Order.

31. Such permits issued for the first time shall have four coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article allotted.

32. The unit of each rationed article shall for the purpose of the Ration Permits have the value allotted to it in Schedule D.

33. A Ration Permit over-printed with a diagonal red line shall be registered with an appointed retailer of the sub-area in which the establishment is situated and a Ration Permit not so over-printed shall be registered

with the Assistant Rationing Officer of the sub-area in which the establishment is situated or to which he may be attached by order of the Town Rationing Officer:

Provided that a Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

34. No holder of a Ration Permit shall obtain any rationed article on such permit until he registers himself in accordance with the provisions contained in clause 33.

35. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 19, 21, 23 and 24 shall, in so far as may be, apply as if the permit were a Ration Card:

Provided that the limit specified under the second proviso to sub-clause (b) of clause 21 shall not apply in respect of Ration Permits:

Provided further that the total number of Ration Permits that may be registered with an appointed retailer shall not exceed 15.

36. (1) Where a Ration Permit is to be registered with the Assistant Rationing Officer it shall be done in the following manner:—

(a) the permit-holder shall himself or through an agent present the Ration Permit to the Assistant Rationing Officer of the sub-area in which the establishment is situated; and

(b) he shall himself or through an agent permit the Assistant Rationing Officer to detach and retain the counterfoil of the Ration Permit.

(2) The Assistant Rationing Officer shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Assistant Rationing Officer shall then detach and retain with him the counterfoil of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

37. The holder of a Ration Permit registered with the Assistant Rationing Officer shall submit to him once every week an indent for the rationed articles. On the basis of such indent and against cancellation of the appropriate coupon, the Assistant Rationing Officer shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid:

Provided that in specifying the number of maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

38. (1) The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer and the other copy shall be given to the permit-holder.

(2) The Ration Authority shall be valid for the period specified on it.

39. The holder of the Ration Authority shall submit it to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the holder and on demand and offer of price by or on behalf of the holder shall supply to him rationed articles in quantities specified in the Ration Authority.

40. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

41. An appointed establishment proprietor shall in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or any officer authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith.

*Chapter IV—Appointed Retailers other than Employers' Shops.*

42. An appointed retailer not being a retailer in charge of an employer's shop shall maintain a register in Form A.R.I. (Parts A and B) in respect of the Ration Cards and Ration Permits registered with him and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. The appointed retailer shall specify in the register maintained in Form A.R.I. the total number of units registered with him in respect of each rationed article.

43. (1) Once a week on a day to be specified by the Assistant Rationing Officer having jurisdiction in the area where the shop of an appointed retailer is situated, the appointed retailer shall submit to him an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). Along with the indent, the appointed retailer shall produce the registers mentioned in clause 42 together with the counterfoils of the Ration Cards and Ration Permits registered with him to the Assistant Rationing Officer. The Assistant Rationing Officer shall after checking the registers return them to the appointed retailer and shall then issue a Ration Authority to him specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Assistant Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the Ration Authority shall not be less than the maximum of each rationed article obtainable according to the total number of units registered with an appointed retailer.

(3) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

44. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

45. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

46. An appointed retailer not being a retailer in charge of an employer's shop shall, in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and

shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

### *Chapter V—Employers' Shops.*

47. An appointed retailer, being a person in charge of an employer's shop, shall maintain a register in Form E.S. I and a daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. Such appointed retailer shall specify in the register maintained in Form E.S. I the total number of units registered with him in respect of each rationed article. He shall submit the registers together with the counterfoils of the Ration Cards registered with him to the Town Rationing Officer when so required by him.

48. (1) Once a week on a day to be specified by the Town Rationing Officer, an appointed retailer being a person in charge of such an employer's shop shall submit to the Town Rationing Officer, a return of all stocks of rationed articles in his shop and an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). The Town Rationing Officer shall then issue a Ration Authority to such retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(3) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

49. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer.

50. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

51. An appointed retailer being a person in charge of an employer's shop shall, in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such person as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which

any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such article.

**52.** An appointed retailer being a person in charge of an employer's shop, who has been authorised under the Order or under these Regulations to issue rationed articles to such of the employees as do not reside in the Comilla Urban Area, otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-11 appended to these Regulations:

Provided that the rations issued to such persons shall be on the scale laid down for the holder of a Ration Card.

#### *Chapter VI—Appointed Wholesalers.*

**53.** An appointed wholesaler shall maintain a Stock Register of all rationed articles issued to him in such form as may be specified by the Director. He shall submit the register to the Town Rationing Officer when so required by him.

**54.** For the initial allotment of rationed articles each appointed wholesaler shall receive before the rationing date from the Town Rationing Officer a Ration Authority specifying in terms of standard maunds the quantity of each rationed article which shall be obtainable by the appointed wholesaler.

**55.** Subsequently, once a week the appointed wholesaler shall submit an indent to the Town Rationing Officer, for rationed articles showing the total amount of rationed articles issued to the appointed retailers and appointed establishment proprietors allotted to him. The Town Rationing Officer shall issue to such wholesaler a Ration Authority specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable thereon by the appointed wholesaler:

Provided that in specifying the number of such maunds and seers, the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

**56.** The Ration Authority shall be submitted by the appointed wholesaler to the Permit Officer along with a receipted treasury challan to cover the price of the rationed articles and the Permit Officer shall thereupon issue a Delivery Permit or Delivery Permits on the officer in charge of the Government godown to which such wholesaler has been attached for the supply of rationed articles in quantities specified in the Ration Authority.

**57.** On presentation of such Delivery Permit or Permits by or on behalf of the holder thereof at the Government godown to which the wholesaler has been attached, the officer in charge of the Government godown shall issue rationed articles to such holder in quantities specified in the Delivery Permit or Permits.

**58.** An appointed wholesaler shall maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed wholesaler shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

**SCHEDULE A.****The Comilla Urban Area.**

[See sub-clause (2) of clause 2.]

(1) The municipality of Comilla in the district of Tippera.

(2) So much of mauza Sashangachha bearing jurisdiction list No. 447 as is covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519, within the police-station Kotwali in the district of Tippera.

(3) So much of mauza Dharampore, bearing jurisdiction list No. 227 as is covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

**SCHEDULE B.**

(See clause 17.)

A coupon on a Ration Card of the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

1 Type of Ration Card.	2 Number of Units.
Ration Cards in respect of persons above the age of 8 years.	2.
Ration Cards in respect of persons of the age of 8 years and below.	2 in respect of sugar and salt and 1 in respect of other rationed articles.

**SCHEDULE C.**

(See clause 18.)

The unit of a Ration Card shall be valued as follows:—

Rice husked and in the husk	} in combination .. <sup>1</sup> [1 seer and 5 chataks in the case of a person who is not a heavy manual worker and 1 seer and 12 chataks in the case of a person who is a heavy manual worker.]
Wheat and wheat products ..	
Sugar .. .. .	2 chataks.
Salt .. .. .	<sup>2</sup> [1½] chataks.

<sup>3</sup>Explanation.—“Heavy manual worker” means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or any other officer authorised in writing by the Director in this behalf shall be final.

**SCHEDULE D.**

(See clause 32.)

The unit of each rationed article shall, for the purpose of a Ration Permit, be valued as follows:—

	Seers.
Rice husked and in the husk .. .. .	5
Wheat .. .. .	5
Flour .. .. .	5
Sugar .. .. .	1
Salt .. .. .	½

<sup>1</sup>Substituted by notification No. 3600 D.C.S., dated the 14th March, 1946.<sup>2</sup>Substituted by notification No. 13543 D.C.S., dated the 10th November, 1945.<sup>3</sup>Inserted by notification No. 3600 D.C.S., dated the 14th March, 1946.

**SCHEDULE E.**

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker,(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;**FORMS.****Form AR-1 (Parts A and B).**

(See clause 42.)

*Register of Registered Ration Card/Permit Holders.*

Serial No.	Number of Ration Card (A) Ration Permit (B).	Name.	Address.	Units.	Initials of A. R. O. after check with counterfoil.	Cancellation.		Remarks.
						Date.	Reasons.	

**FORM ES.-1.**

(See clause 47.)

Serial No.	Number of Ration Card or Serial No. in F-II Register.*	Name.	Address.	Units.	Initials of Town Rationing Officer after check.	Cancellation.		Remarks.
						Date.	Reason.	

\*Only for cases where the maintenance of Register F-II has been specially authorised.

**F-II Register.**

(See clause 52.)

Name of Appointed Retailer.....

Shop No. E.S.....

Address.....

Serial No.	Full name.	Father's name.	Address in full (if within municipal area, the name of the municipality and if in a village, the name of the village, post office, thana and district).	Occupation and Ticket or Token No.	Age.	Signature of Town Rationing Officer.	Registration		Cancellation.		Remarks.
							Date.	E.S.I. Serial No.	Date.	Reason.	
1	2	3	4	5	6	7	8		9		10

\*Substituted by notification No. 3600)C.S. dated the 14th March, 1946.



**Daily Sales Register.**

(See clauses 42 and 47.)

Shop No..... Week No.....

Address.....

From.....194.....to.....194.....

Serial No.	Cash Memo. No.	R. C. R. F.	Rice.	Wheat.	Flour.	Atta.
1	2	3	4	5	6	7
			Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.

Dal.	Sugar.				Amount.
8	9	10	11	12	13
Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Rs. a. p.

*Notification No. 1576 D. C. S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. i).*

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Chittagong Urban Area, namely:—

**The Chittagong Urban Area Rationing Regulations, 1946.***Chapter I—General.*

1. These Regulations may be called the Chittagong Urban Area Rationing Regulations, 1946.

2. In these Regulations unless there is anything repugnant in the subject or context—

(1) (a) all expressions used but not defined in these Regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and

(b) the expression "distributor" where used in any ration document means an appointed retailer and includes an appointed retailer in charge of an employer's shop referred to in these Regulations;

(2) "Chittagong Urban Area" means the area specified in Schedule A;

- (3) "Director" means the Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, and includes the Additional Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal;
- (4) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (5) "Government godown" means a depot established under the Department of Civil Supplies for the purpose of the storage of rationed articles and their supply to appointed wholesalers under these Regulations;
- (6) "Order" means the Bengal Rationing Order, 1943;
- (7) "Permit Officer" means the officer appointed as such by the District Magistrate of Chittagong with the approval of the Provincial Government;
- (8) "Schedule" means a Schedule appended to these Regulations;
- (9) "Sub-area" means an area, as determined by the Director, which is in charge of an Assistant Rationing Officer;
- (10) (a) "Town Rationing Officer" means the Town Rationing Officer of Chittagong appointed by the Provincial Government; and  
 (b) "Assistant Rationing Officer" means an officer appointed as such by the District Magistrate of Chittagong, with the approval of the Provincial Government;
- (11) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor or a lunatic or a person of unsound mind, be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

#### *Chapter II—Household Consumption.*

4. For the purposes of household consumption in the Chittagong Urban Area Ration Cards issued under this chapter shall be the ration documents.

5. Save as otherwise expressly provided a Ration Card issued for the time shall consist of 26 coupons, and a Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

6. Any person residing or intending to reside in the Chittagong Urban Area otherwise than in a residential establishment to whom a Ration Card has not been issued and who desires to have a Ration Card issued shall apply to the Assistant Rationing Officer of the sub-area in which he resides or intends to reside or to which he is attached by order of the Town Rationing

Officer furnishing true and correct information in such form as the Assistant Rationing Officer may require. The Assistant Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

7. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's forces or of the forces of any nation in alliance with His Majesty or if he resides in a residential establishment.

8. No person shall obtain or attempt to obtain a Ration Card by furnishing false information.

9. (1) No person shall obtain or attempt to obtain any rationed article by the use of more than one Ration Card issued in his name or by the use of a Ration Card issued in the name of any person who is for the time being not resident within the rationed area or by the use of a Ration Card the possession of which is not authorised by or under the Order or by furnishing false information. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact and surrender the extra card or cards so issued, to the Assistant Rationing Officer having jurisdiction in the area in which he resides or to which he is attached by order of the Town Rationing Officer as the case may be. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's forces or the authorities of the forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed article by the use of any Ration Card issued in his name and every such person shall forthwith surrender the Ration Card to the Assistant Rationing Officer by whom it was issued.

10. A temporary Ration Card shall be issued by the Assistant Rationing Officer to any person who has made an application under clause 6 after the rationing date, if the period of his stay in the Chittagong Urban Area is likely to be more than one week but not more than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Assistant Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Assistant Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the card shall be extended accordingly. On such extension the Assistant Rationing Officer shall issue an intimation thereof to the appointed retailer with whom the card is registered. This intimation shall be retained by the appointed retailer.

11. A Ration Card, other than a temporary Ration Card, shall be issued to any person who has made an application under clause 6 after the rationing date and who intends to stay in the Chittagong Urban Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Chittagong Urban Area shall be cancelled:

Provided that pending the issue of a Ration Card under this clause the Assistant Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 10.

12. The person to whom a Ration Card has been issued shall be termed the "holder" in respect of that card. Each Ration Card shall show the number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below:

Provided that in relation to the sugar ration each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

13. Every person recorded as the head of a family shall, and any member of the family may, notify in writing to the Assistant Rationing Officer of the sub-area in which he resides or to which he is attached by order of the Town Rationing Officer, any reduction in the number of members of the family due to death or to absence from the Chittagong Urban Area for more than seven days or to any other cause. Such notice shall be given within ten days from the date on which such reduction in the number of members of the household takes place.

14. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

15. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C:

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.

16. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card:

Provided that if the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind the signature or thumb impression of the head of the family may be given instead;

(b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;

(c) complies with any other directions which may be issued on this account by the Town Rationing Officer.

17. (1) A holder of a Ration Card who is not the employee of an employer having an employer's shop, shall register himself with an appointed retailer, not being a retailer in charge of an employer's shop, of the sub-area in which such holder resides or to which the holder has been attached by order of the Town Rationing Officer:

Provided that the Town Rationing Officer may by order attach any person or class of persons to any particular shop.

(2) A holder of a Ration Card who is the employee of an employer having an employer's shop shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family, unless debarred by the proviso to sub-clause (a) of clause 18, may register with the employer.

18. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

- (a) such retailer is an employer having an employer's shop and the holder is his employee or a dependant of his employee whose card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceed three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

- (b) such retailer is a person other than a person having an employer's shop:

Provided that he shall refuse to register such holder, if the registration is not being made in accordance with the provisions contained in sub-clause (1) of clause 17, unless the holder has been attached to such retailer by order of the Town Rationing Officer:

Provided further that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed 1,500 permanent cards and 200 temporary cards.

19. (1) Subject to the provisions contained in clause 17, a holder of a Ration Card shall get himself registered in the following manner, namely:—

- (a) he shall himself or through an agent present the Ration Card to an appointed retailer in order to enable the appointed retailer to enter his name, address, signature and shop No. in the Ration Card and in the counterfoil thereof; and

- (b) he shall himself or through an agent permit the appointed retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him and in the counterfoil thereof his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the Town Rationing Officer. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the Director.

20. (1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket referred to in clause 22 shall purchase his requirements of rationed articles for one week at a time and at one time during that week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall accordingly supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card registered with an employer's shop may purchase his requirements for two weeks at a time in cases where the employer's shop has been specially authorised by the Town Rationing Officer to issue rationed articles for two weeks at a time.

(2) The appointed retailer shall comply with such other directions as may be issued by the Director or any officer authorised by the Director in this behalf.

21. Notwithstanding anything contained in clauses 16, 17 and 18 the Town Rationing Officer or Assistant Rationing Officer may issue instructions transferring the name of a person registered with an appointed retailer from such retailer to another appointed retailer.

22. (1) The Director may authorise the Town Rationing Officer to issue a Civil Ration Ticket to a person belonging or attached to, or employed with, His Majesty's forces or belonging or attached to, or employed with, the forces of any nation in alliance with His Majesty who is within the Chittagong Urban Area on leave and is not in receipt of any rationed article from the authorities of such forces, on application made by such person in that behalf to the Town Rationing Officer furnishing true and correct information in such form as the Town Rationing Officer may require. Before authorising the issue of such Ration Ticket the Town Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant. The Town Rationing Officer when so authorised by the Director shall issue such Ration Ticket to the applicant which shall be valid for one week only and the provisions of clauses 12, 14 and 15 shall apply to such Ration Ticket as they apply to a Ration Card issued under clause 10.

(2) On demand and offer of price by or on behalf of a holder of a Civil Ration Ticket issued under sub-clause (1) any appointed retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### *Chapter III—Establishments.*

23. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

24. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

25. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

26. No person shall obtain or attempt to obtain any rationed article by the use of a Ration Permit the possession of which is not authorised by or under the Order.

27. Such permits issued for the first time shall have twenty-six coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article allotted.

28. The unit of each rationed article shall for the purpose of the Ration Permits have the value allotted to it in Schedule D.

29. A Ration Permit over-printed with a diagonal red line shall be registered with an appointed retailer of the sub-area in which the establishment is situated and a Ration Permit not so over-printed shall be registered with the Assistant Rationing Officer of the sub-area in which the establishment is situated or to which he may be attached by order of the Town Rationing Officer:

Provided that a Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

30. No holder of a Ration Permit shall obtain any rationed article on such permit until he registers himself in accordance with the provisions contained in clause 29.

31. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 16, 18, 19 and 20 shall, in so far as may be, apply as if the permit were a Ration Card:

Provided that the limit specified under the second proviso to sub-clause (b) of clause 18 shall not apply in respect of Ration Permits:

Provided further that the total number of Ration Permits that may be registered with an appointed retailer shall not exceed 15.

32. (1) Where a Ration Permit is to be registered with the Assistant Rationing Officer it shall be done in the following manner:—

(a) the permit holder shall himself or through an agent present the Ration Permit to the Assistant Rationing Officer of the sub-area in which the establishment is situated; and

(b) he shall himself or through an agent permit the Assistant Rationing Officer to detach and retain the counterfoil of the Ration Permit.

(2) The Assistant Rationing Officer shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Assistant Rationing Officer shall then detach and retain with him the counterfoil of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

33. The holder of a Ration Permit registered with the Assistant Rationing Officer shall submit to him once every week an indent for the rationed articles. On the basis of such indent and against cancellation of the appropriate coupon, the Assistant Rationing Officer shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid:

Provided that in specifying the number of maunds and seers the Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

34. (1) The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer and the other copy shall be given to the permit-holder.

(2) The Ration Authority shall be valid for the period specified on it.

35. The holder of the Ration Authority shall submit it to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the holder and on demand and offer of price by or on behalf of the holder shall supply to him rationed articles in quantities specified in the Ration Authority.

36. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

37. An appointed establishment proprietor shall, in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or any officer authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith.

*Chapter IV—Appointed Retailers other than Employers' Shops.*

38. An appointed retailer not being a retailer in charge of an employer's shop shall maintain a register in Form A.R.I (Parts A and B) in respect of the Ration Cards and Ration Permits registered with him and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. The appointed retailer shall specify in the register maintained in Form A.R.I the total number of units registered with him in respect of each rationed article.

39. (1) Once a week on a day to be specified by the Assistant Rationing Officer having jurisdiction in the area where the shop of an appointed retailer is situated, the appointed retailer shall submit to him an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). Along with the indent, the appointed retailer shall produce the registers mentioned in clause 38 together with the counterfoils of the Ration Cards and Ration Permits registered with him to the Assistant Rationing Officer. The Assistant Rationing Officer shall after checking the registers return them to the appointed retailer and shall then issue a Ration Authority to him specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Assistant Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the ration authority shall not be less than the maximum of each rationed article obtainable according to the total number of units registered with an appointed retailer.

(3) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

40. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Assistant Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

41. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

42. An appointed retailer not being a retailer in charge of an employer's shop shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.



*Chapter V—Employers' Shops.*

43. An appointed retailer, being a person in charge of an employer's shop, shall maintain a register in Form E.S.I and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. Such appointed retailer shall specify in the register maintained in Form E.S.I the total number of units registered with him in respect of each rationed article. He shall submit the registers together with the counterfoils of the Ration Cards registered with him to the Town Rationing Officer, when so required by him.

44. (1) Once a week on a day to be specified by the Town Rationing Officer, an appointed retailer being a person in charge of an employer's shop shall submit to the Town Rationing Officer, a return of all stocks of rationed articles in his shop and an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). The Town Rationing Officer shall then issue a Ration Authority to such retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(3) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

45. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer.

46. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

47. An appointed retailer being a person in charge of an employer's shop, shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such person as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such article.

48. An appointed retailer being a person in charge of an employer's shop, who has been authorised under the Order or under these Regulations to issue rationed articles to such of the employees as do not reside in the

Chittagong Urban Area, otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-II appended to these Regulations:

Provided that the rations issued to such persons shall be on the scale laid down for the holder of a Ration Card.

### *Chapter VI—Appointed Wholesalers.*

49. An appointed wholesaler shall maintain a Stock Register of all rationed articles issued to him in such form as may be specified by the Director. He shall submit the register to the Town Rationing Officer when so required by him.

50. For the initial allotment of rationed articles each appointed wholesaler shall receive before the rationing date from the Town Rationing Officer, a Ration Authority specifying in terms of standard maunds the quantity of each rationed article which shall be obtainable by the appointed wholesaler.

51. Subsequently, once a week the appointed wholesaler shall submit an indent to the Town Rationing Officer, for rationed articles showing the total amount of rationed articles issued to the appointed retailers and appointed establishment proprietors allotted to him. The Town Rationing Officer shall issue to such wholesaler a Ration Authority specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable thereon by the appointed wholesaler:

Provided that in specifying the number of such maunds and seers, the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

52. The Ration Authority shall be submitted by the appointed wholesaler to the Permit Officer along with a receipted treasury challan to cover the price of the rationed articles and the Permit Officer shall thereupon issue a Delivery Permit or Delivery Permits on the officer in charge of the Government godown to which such wholesaler has been attached for the supply of rationed articles in quantities specified in the Ration Authority.

53. On presentation of such Delivery Permit or Permits by or on behalf of the holder thereof at the Government godown to which the wholesaler has been attached the officer in charge of the Government godown shall issue rationed articles to such holder in quantities specified in the Delivery Permit or Permits.

54. An appointed wholesaler shall maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed wholesaler shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

## **SCHEDULE A.**

### **The Chittagong Urban Area.**

[See sub-clause (2) of clause 2.]

The municipality of Chittagong.

**SCHEDULE B.**

(See clause 14.)

A coupon on a Ration Card of the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

1 Type of Ration Card.	2 Number of Units.
Ration Cards in respect of persons above the age of 8 years.	2.
Ration Cards in respect of persons of the age of 8 years and below.	2 in respect of sugar and 1 in respect of other rationed articles.

**SCHEDULE C.**

(See clause 15.)

The unit of a Ration Card shall be valued as follows:—

Rice husked and in the husk	} in combination ..	[1 seer and 5 chataks in the case of a person who is not a heavy manual worker and 1 seer and 12 chataks in the case of a person who is a heavy manual worker.]
Wheat and wheat products		
Sugar	.. .. .	2 chataks.

<sup>1</sup>*Explanation.*—"Heavy manual worker" means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or any other officer authorised in writing by the Director in this behalf shall be final.

**SCHEDULE D.**

(See clause 28.)

The unit of each rationed article shall, for the purpose of a Ration Permit, be valued as follows:—

	Seers.
Rice husked and in the husk	5
Wheat	5
Flour	5
Sugar	1

**SCHEDULE E.**

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker,

(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;

(2) in respect of Ration Cards of one unit—

(a) in the case of rice husked and in the husk—1 seer and 5 *chataks*;

(b) in the case of wheat and wheat products—1 seer.

*Explanation.*—"Heavy manual worker" has the same meaning as in Schedule C.

<sup>1</sup>Substituted by notification No. 3601 D.C.S., dated the 14th March, 1946.

<sup>2</sup>Inserted, *ibid.*

(See clause 38.)

**Register of Registered Ration Card/Permit Holders.**

[illegible]

(See clause 43.)

[illegible]

\*Only for cases where the maintenance of Register F-11 has been specially authorised.

**F-11 Register.**

(See clause 48.)

**Name of Appointed Retailer.**

Shop No. E. S.....

**Address.....**

[illegible]

**Daily Sales Register.**

(See clauses 38 and 43.)

Shop No..... Week No.....

Address.....From.....194...  
to.....194...

Serial No.	Cash Memo. No.	R. C. R. F.	Rice.	Wheat.	Flour.	Atta.
1	2	3	4	5	6	7
			Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.

Dal.	Sugar.				Amount.
8	9	10	11	12	13
Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Mds. srs. chs.	Rs. a. p.

Notification No. 2819 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. iii).

In exercise of the powers conferred by paragraph 16 of the Bengal Rationing Order, 1943, the Governor is pleased to make the following Regulations in respect of the Darjeeling-Kalimpong-Kurseong Urban Area, namely:—

**The Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.**

*Chapter I—General.*

1. These Regulations may be called the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

2. In these Regulations unless there is anything repugnant in the subject or context—

(1) (a) all expressions used but not defined in these Regulations which have also been used in the Bengal Rationing Order, 1943, have the same meanings as in the said Order; and

(b) the expression "distributor" where used in any ration document means an appointed retailer and includes an appointed retailer in charge of an employers' shop or a *hat* shop referred to in these Regulations;

(2) "Area" means an area as determined by the Director which is in charge of a Town Rationing Officer;

- (3) "Darjeeling-Kalimpong-Kurseong Urban Area" means the area specified in Schedule A;
- (4) "Director" means the Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal, and includes the Additional Director of Rationing in the Directorate General of Food, in the Department of Civil Supplies, Bengal;
- (5) "Employer's shop" means any retail shop established in accordance with the provisions of sub-paragraph (2) of paragraph 3 of the Bengal Rationing Order, 1943, and includes any shop established and operated by any department of or authority under the Central or Provincial Government for the benefit of its employees;
- (6) "Government godown" means a depot established under the Department of Civil Supplies for the purpose of the storage of rationed articles and their supply to appointed wholesalers under these Regulations;
- (7) "Hat shop" means any retail shop carrying on trade in a hat on hat days and being in charge of an appointed retailer for distributing rationed articles to persons residing outside the Darjeeling-Kalimpong-Kurseong Urban Area against Identity Cards issued by the Subdivisional Magistrate of Kalimpong or Kurseong or the Town Rationing Officer of Darjeeling.
- (8) "Order" means the Bengal Rationing Order, 1943;
- (9) "Schedule" means a Schedule appended to these Regulations;
- (10) "Town Rationing Officer" means an officer appointed as such by the Provincial Government; and
- (11) "Week" means the period commencing from the rationing date and ending at midnight of Sunday next following and each successive period of seven days thereafter.

3. For the purposes of these Regulations anything required to be done by any person may, if such person is a minor or a lunatic or a person of unsound mind be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.

### *Chapter II—Household Consumption.*

4. In clauses 5, 14, 15 and 24 of this Chapter "animal" means a horse, cow, bullock, bull, buffalo and mules.

5. For the purposes of household consumption in the Darjeeling-Kalimpong-Kurseong Urban Area, Ration Cards and "Salt Ration Cards for animals" issued under this chapter, shall be the ration documents.

6. Save as otherwise expressly provided a Ration Card issued for the first time shall consist of 26 coupons, and a Ration Card issued on a subsequent occasion shall consist of such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*. Each coupon shall bear an indication denoting the serial number of the week, reckoned from the first week for which the coupon shall be valid:

Provided that the Provincial Government may by notification in the *Official Gazette*, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

7. Any person residing or intending to reside in the Darjeeling-Kalimpong-Kurseong Urban Area otherwise than in a residential establishment to whom a Ration Card has not been issued and who desires to have a

Ration Card issued shall apply to the Town Rationing Officer of the area in which he resides or intends to reside furnishing true and correct information in such form as the Town Rationing Officer may require. The Town Rationing Officer may make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

8. No person shall apply for a Ration Card if he has already obtained a Ration Card or if he is in receipt of any rationed article from the authorities of His Majesty's forces or of the forces of any nation in alliance with His Majesty or if he resides in a residential establishment.

9. No person shall obtain or attempt to obtain a Ration Card by furnishing false information.

10. (1) No person shall obtain or attempt to obtain any rationed article by the use of more than one Ration Card issued in his name or by the use of a Ration Card issued in the name of any person who is for the time being not resident within the rationed area or by the use of a Ration Card the possession of which is not authorised by or under the Order or by furnishing false information. If more than one Ration Card is issued in the name of any person such person shall forthwith report the fact and surrender the extra card or cards so issued, to the Town Rationing Officer having jurisdiction in the area in which he resides. If any person whilst in possession of a Ration Card draws or becomes entitled to draw rationed articles from the authorities of His Majesty's forces or the authorities of the forces of any nation in alliance with His Majesty he shall forthwith surrender his Ration Card to the authorities from whom he has thus become entitled to draw rations.

(2) No person residing in a residential establishment shall obtain or attempt to obtain any rationed article by the use of any Ration Card issued in his name and every such person shall forthwith surrender the Ration Card to the Town Rationing Officer by whom it was issued.

11. A temporary Ration Card shall be issued by the Town Rationing Officer to any person who has made an application under clause 7 after the rationing date, if the period of his stay in the Darjeeling-Kalimpong-Kurseong Urban Area is likely to be more than one week but not more than eight weeks. A temporary Ration Card shall be over-printed in red with the word "Temporary" and shall consist of eight coupons. The Town Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary Ration Card shall be valid accordingly. The Town Rationing Officer may at the request of the holder of the card and after making such enquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the card shall be extended accordingly. On such extension the Town Rationing Officer shall issue an intimation thereof to the appointed retailer with whom the card is registered. This intimation shall be retained by the appointed retailer.

12. A Ration Card, other than a temporary Ration Card, shall be issued to any person who has made an application under clause 7 after the rationing date and who intends to stay in the Darjeeling-Kalimpong-Kurseong Urban Area for a period exceeding eight weeks. Each coupon on such Ration Card shall bear an indication denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a Ration Card is so issued the coupon denoting the week or weeks which have elapsed on the date of its issue or from which the applicant does not intend to stay in the Darjeeling-Kalimpong-Kurseong Urban Area shall be cancelled:

Provided that pending the issue of a Ration Card under this clause the Town Rationing Officer may in his discretion issue to the applicant a temporary Ration Card as provided in clause 11.

13. The person to whom a Ration Card has been issued shall be termed the "holder" in respect of that card. Each Ration Card shall show the

number of units allotted to the holder at the rate of two units for each holder above the age of 8 years and one unit for each holder of the age of 8 years and below :

Provided that in relation to the sugar and salt rations each Ration Card shall have the value of two units irrespective of the units noted in the card or the age of the holder.

14. (1) Any holder of a Ration Card who has any animal or animals belonging to him in the Darjeeling-Kalimpong-Kurseong Urban Area and desires to have issued to him a Salt Ration Card or Cards for such animal or animals, shall apply to the Town Rationing Officer of the area in which he resides furnishing true and correct information in such form as the Town Rationing Officer may require. The Town Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

(2) After the verification referred to in sub-clause (1) one Salt Ration Card for each animal so belonging to the applicant shall be issued to him and each such card shall consist of such number of coupons as may be fixed by the Director :

Provided that no such Salt Ration Cards shall be issued if the number of animals belonging to the applicant exceeds five.

(3) A Salt Ration Card for an animal shall have the value of two units and the quantity of salt obtainable on each unit on such a card shall be one *chatak*.

(4) The provisions of clauses 8, 9 and 10 shall apply to Salt Ration Cards for animals as they apply in relation to Ration Cards.

(5) Every holder of a Salt Ration Card for an animal shall register himself with the appointed retailer with whom he is registered in respect of his Ration Card and the provisions of clause 23 shall in so far as may be, apply to the registration of Salt Ration Cards for animals as they apply to the registration of Ration Cards.

15. Any holder of a Ration Card who has obtained a Salt Ration Card or Cards for an animal or animals shall notify in writing to the Town Rationing Officer by whom the Salt Ration Card or Cards was or were issued the death or any transfer from his possession of any such animal or any reduction in the number of any such animals owing to any other cause within ten days from the date on which such death, transfer or reduction takes place.

16. Every person recorded as the head of a family shall, and any member of the family may, notify in writing to the Town Rationing Officer of the area in which he resides any reduction in the number of members of the family due to death or to absence from the Darjeeling-Kalimpong-Kurseong Urban Area for more than seven days or to any other cause. Such notice shall be given within ten days from the date on which such reduction in the number of members of the household takes place.

17. Each coupon on a Ration Card shall be valid for the number of units specified in respect of the particular type of such card in Schedule B.

18. The value of each unit in terms of the rationed articles or in terms of two or more rationed articles in combination shall be as laid down in Schedule C :

Provided that the maximum proportion of any rationed article in combination with another rationed article shall be as specified in Schedule E.



19. No person shall obtain any rationed article on a Ration Card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the Ration Card:

Provided that if the person is a minor or a *pardanashin* woman or a lunatic or a person of unsound mind the signature or thumb impression of the head of the family may be given instead;

(b) registers himself with an appointed retailer for the purpose of obtaining his supply of rationed articles;

(c) complies with any other directions which may be issued on this account by the Town Rationing Officer.

20. (1) A holder of a Ration Card who is not the employee of an employer having an employer's shop, shall register himself with an appointed retailer, not being a retailer in charge of an employer's shop, or a *hat* shop of the area in which such holder resides:

Provided that the Town Rationing Officer may by order attach any person or class of persons to any particular shop.

(2) A holder of a Ration Card who is the employee of an employer having an employer's shop shall, and his dependants who hold Ration Cards bearing the name of such employee as the head of the family unless debarred by the proviso to sub-clause (3) of clause 21 may register with the employer.

21. No appointed retailer shall, when requested so to do, refuse to register the holder of a Ration Card, if—

(a) such retailer is an employer having an employer's shop and the holder is his employee or a dependant of his employee whose card contains the name of the employee as the head of the family:

Provided that an employer may refuse to register the dependants of his employee where such dependants exceed three in number:

Provided further that where such employer is any department of the Central or Provincial Government or any authority thereunder it shall not be necessary for such employer to register the dependants of the employee;

(b) such retailer is a person other than a person having an employer's shop or a *hat* shop:

Provided that he shall refuse to register such holder if the number of holders already registered with him will thereby exceed 1,500 permanent cards and 200 temporary cards.

22. Notwithstanding anything contained in the proviso to sub-clause (b) of clause 21, an appointed retailer shall register Salt Ration Cards for animals belonging to those families any member of which has registered his permanent or temporary Ration Card with him.

23. (1) Subject to the provisions contained in clause 20, a holder of a Ration Card shall get himself registered in the following manner, namely:—

(a) he shall himself or through an agent present the Ration Card to an appointed retailer in order to enable the appointed retailer to enter his name, address, signature and shop No. in the Ration Card and in the counterfoil thereof; and

(b) he shall himself or through an agent permit the appointed retailer to detach and retain the counterfoil of the Ration Card.

(2) Every appointed retailer with whom the holder of a Ration Card seeks registration shall enter in the Ration Card presented to him and in the counterfoil thereof his name, address, signature and shop No. He shall detach and retain with him the counterfoil of such Ration Card. He shall preserve all such counterfoils and dispose of them as instructed by the Town Rationing Officer. He shall enter in a register the number of the Ration Cards and the units specified therein and any other particulars required by general or special order by the Director.

24. (1) The holder of a Ration Card registered with an appointed retailer or of a Civil Ration Ticket referred to in clause 27 shall purchase his requirements of rationed articles for one week at a time and at one time during that week and on demand and offer of price by him or on his behalf and against cancellation of the appropriate coupon the retailer shall accordingly supply to the holder rationed articles not exceeding the quantity obtainable on the coupon:

Provided that the holder of a Ration Card other than the holder of a temporary Ration Card shall purchase his requirements of salt for four weeks at a time:

Provided further that the holder of a Ration Card registered with an employer's shop may purchase his requirements for two weeks at a time in cases where the employer's shop has been specially authorised by the Town Rationing Officer to issue rationed articles for two weeks at a time.

(2) The provisions of sub-clause (1) shall apply to the supply of salt under a Salt Ration Card for an animal as they apply to the supply of salt under a Ration Card.

(3) The appointed retailer shall comply with such other directions as may be issued by the Director or any officer authorised by the Director in this behalf.

25. Notwithstanding anything contained in sub-clause (1) of clause 24 the holder of a Ration Card may purchase his weekly requirement of rice and the weekly requirements of rice of the members of his household from any person other than an appointed retailer if such person has been exempted under paragraph 20 of the Order from the operation of the provisions of paragraph 4 of the Order and if the holder has obtained a permit from the Subdivisional Magistrate of Kalimpong or Kurseong or the Town Rationing Officer of Darjeeling for purchasing rice from such person:

Provided that at the time of obtaining the permit the holder shall have the appropriate coupons on his Ration Card and the Ration Cards of the members of his household cancelled by the authority issuing the permit.

26. Notwithstanding anything contained in clauses 19, 20 and 21 and Town Rationing Officer may issue instructions transferring the name of a person registered with an appointed retailer from such retailer to another appointed retailer.

27. (1) The Director may authorise any Town Rationing Officer to issue a Civil Ration Ticket to a person belonging or attached to, or employed with, His Majesty's forces or belonging or attached to, or employed with, the forces of any nation in alliance with His Majesty who is within the Darjeeling-Kalimpong-Kurseong Urban Area on leave and is not in receipt of any rationed article from the authorities of such forces, on application made by such person in that behalf to the Town Rationing Officer having jurisdiction in the area in which he resides furnishing true and correct information in such form as the Town Rationing Officer may require. Before authorising the issue of such Ration Ticket the Town Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant. A Town Rationing

Officer when so authorised by the Director shall issue such Ration Ticket to the applicant which shall be valid for one week only and the provisions of clauses 13, 17 and 18 shall apply to such Ration Ticket as they apply to a Ration Card issued under clause 11.

(2) On demand and offer of price by or on behalf of a holder of a Civil Ration Ticket issued under sub-clause (1) any appointed retailer shall supply to the holder rationed articles not exceeding the quantity obtainable on the ticket on surrender of such ticket to such retailer.

### *Chapter III—Establishments.*

28. For the purposes of an establishment, Ration Permits and Ration Authorities shall be the ration documents.

29. A Ration Permit for obtaining rationed articles for the purposes of the establishment shall be issued in the name of the owner or manager or person in charge or control of an establishment.

30. No person shall obtain or attempt to obtain a Ration Permit by furnishing false information.

31. No person shall obtain or attempt to obtain any rationed article by the use of a Ration Permit the possession of which is not authorised by or under the Order.

32. Such permits issued for the first time shall have twenty-six coupons; and any permit issued on a subsequent occasion shall have such number of coupons as may be specified by the Provincial Government by notification in the *Official Gazette*; each coupon shall be valid for the week specified on it and shall show the number of units of each rationed article allotted.

33. The unit of each rationed article shall for the purpose of the Ration Permit have the value allotted to it in Schedule D.

34. A Ration Permit over-printed with a diagonal red line shall be registered with an appointed retailer of the area in which the establishment is situated and a Ration Permit not so over-printed shall be registered with the Town Rationing Officer of the area in which the establishment is situated:

Provided that a Ration Permit issued in respect of any establishment run for the benefit of employees may be registered with the appropriate employer's shop.

35. No holder of a Ration Permit shall obtain any rationed article on such permit until he registers himself in accordance with the provisions contained in clause 34.

36. Where a Ration Permit is to be registered with an appointed retailer, the provisions of clauses 19, 21, 23 and 24 shall, in so far as may be, apply as if the permit were a Ration Card:

Provided that the limit specified under the proviso to sub-clause (b) of clause 21 shall not apply in respect of Ration Permits:

Provided further that the total number of Ration Permits that may be registered with an appointed retailer shall not exceed 15.

37. (1) Where a Ration Permit is to be registered with the Town Rationing Officer it shall be done in the following manner:—

(a) the permit holder shall himself or through an agent present the Ration Permit to the Town Rationing Officer of the area in which the establishment is situated; and

(b) he shall himself or through an agent permit the Town Rationing Officer to detach and retain the counterfoil of the Ration Permit.

(2) The Town Rationing Officer shall enter in the Ration Permit presented to him the name and address of the holder thereof and the latter shall sign the Ration Permit. The Town Rationing Officer shall then detach and retain with him the counterfoil of such Ration Permit and shall preserve such counterfoils. He shall enter the serial number of the Ration Permit and the units specified therein in a register to be maintained by him.

38. The holder of a Ration Permit registered with the Town Rationing Officer shall submit to him once every week an indent for the rationed articles. On the basis of such indent and against cancellation of the appropriate coupon, the Town Rationing Officer shall issue a Ration Authority specifying in terms of standard maunds and seers the quantity obtainable thereon and the period during which it shall be valid:

Provided that in specifying the number of maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

39. (1) The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer and the other copy shall be given to the permit-holder.

(2) The Ration Authority shall be valid for the period specified on it.

40. The holder of the Ration Authority shall submit it to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer. The appointed wholesaler shall retain the Ration Authority duly receipted by the holder and on demand and offer of price by or on behalf of the holder shall supply to him rationed articles in quantities specified in the Ration Authority.

41. On demand and offer of price by a resident or a customer in a residential establishment or a customer in a catering establishment the person in charge of the establishment shall supply food prepared from the rationed articles.

42. An appointed establishment proprietor shall in respect of his establishment, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or any officer authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained for establishment consumption or in connection therewith.

#### *Chapter IV—Appointed Retailers other than Employers' Shops, and Hat Shops.*

43. An appointed retailer not being a retailer in charge of an employer's shop or a hat shop shall maintain a register in Form A.R.I. (Parts A and B) in respect of the Ration Cards and Ration Permits registered with him and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. The appointed retailer shall specify in the register maintained in Form A.R.I. the total number of units registered with him in respect of each rationed article.

44. (1) Once a week on a day to be specified by the Town Rationing Officer having jurisdiction in the area where the shop of an appointed retailer is situated, the appointed retailer shall submit to him an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause (3). Along with the indent, the appointed retailer shall produce the registers mentioned in clause 43 together with the counterfoils of the Ration Cards and Ration Permit registered with

him to the Town Rationing Officer. The Town Rationing Officer shall after checking the registers return them to the appointed retailer and shall then issue a Ration Authority to him specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationed articles covered by the ration authority shall not be less than the maximum of each rationed article obtainable according to the total number of units registered with an appointed retailer.

(3) In any subsequent week the quantity of a rationed article covered by the Ration Authority shall not be less than the amount by which the quantity of that article in stock with the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

45. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Ration Officer by whom it is issued and the other copy shall be delivered to the appointed retailer. The Ration Authority shall be valid for the period specified on it.

46. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by order of the Town Rationing Officer having jurisdiction in the area. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

47. An appointed retailer not being a retailer in charge of an employer's shop or a *hat* shop shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

#### *Chapter V—Employers' Shops.*

48. An appointed retailer, being a person in charge of an employer's shop, shall, maintain a register in Form E.S.I. and a Daily Sales Register in Form E.S./A.R.-III appended to these regulations and a Daily Stock Register in such form as may be specified by the Director. Such appointed retailer shall specify in the register maintained in Form E.S.I. the total number of units registered with him in respect of each rationed article. He shall submit the registers together with the counterfoils of the Ration Cards registered with him to the Town Rationing Officer having jurisdiction in the area where the employer's shop is situated, when so required by him.

49. (1) Once a week on a day to be specified by the Town Rationing Officer having jurisdiction in the area where the employer's shop is situated an appointed retailer being a person in charge of such an employer's shop shall submit to the Town Rationing Officer, a return of all stocks of rationed articles in his shop and an indent in duplicate for the rationed articles that may be required in accordance with the provisions contained in sub-clause

(3). The Town Rationing Officer shall then issue a Ration Authority to such retailer specifying in terms of standard maunds and seers the quantity of the rationed articles obtainable thereon in terms of sub-clause (3) and the period for which the authority shall be valid:

Provided that in specifying the number of such maunds and seers the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

(2) For the first two weeks after the rationing date the quantity of the rationing articles covered by the authority shall not be less than the maximum of each rationed article obtainable according to the total number of registered units.

(3) In any subsequent week the quantity of a rationed article covered by the authority shall not be less than the amount by which the quantity of that article in the stock of the appointed retailer is short of the maximum specified in sub-clause (2) on account of sales lawfully made.

50. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer.

51. The Ration Authority shall be submitted by the appointed retailer to the appointed wholesaler to whom he has been attached by the Town Rationing Officer having jurisdiction in the area. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

52. An appointed retailer being a person in charge of an employer's shop, shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such person as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold or the maximum price which may be charged for the sale of such article.

53. An appointed retailer being a person in charge of an employer's shop, who has been authorised under the Order or under these Regulations to issue rationed articles to such of the employees as do not reside in the Darjeeling-Kalimpong-Kurseong Urban Area, otherwise than by means of ration documents, shall maintain a register of all such issues in Form F-II appended to these Regulations:

Provided that the rations issued to such persons shall be on the scale laid down for the holder of a Ration Card.

### *Chapter VI—Hat shops.*

54. For the purposes of this chapter, an Identity Card issued by the Subdivisional Magistrate of Kalimpong or Kurseong or the Town Rationing Officer of Darjeeling shall be the ration document.

55. An appointed retailer being a person in charge of a hat shop shall supply rationed articles from his shop only to persons residing outside the Darjeeling-Kalimpong-Kurseong Urban Area against Identity Cards issued to them and only in quantities specified in such Identity Cards.

56. No person being a holder of a Ration Card shall obtain or attempt to obtain an Identity Card referred to in this chapter or obtain or attempt to obtain any rationed article on any Identity Card.

57. An appointed retailer being a person in charge of a *hat* shop shall maintain in respect of rationed articles obtained and sold by him such registers as may be prescribed by the Director. Each appointed retailer shall submit the registers to the Town Rationing Officer having jurisdiction in the area in which the *hat* shop is situated, when so required by him.

58. Once a week on a day to be specified by the Town Rationing Officer having jurisdiction in the area where the *hat* shop is situated, an appointed retailer being a person in charge of such a *hat* shop shall submit to the Town Rationing Officer a return of all stocks of rationed articles in his shop and an indent in duplicate for rationed articles. The indent shall be for the week following that in which it is submitted. The Town Rationing Officer shall then issue a Ration Authority to such retailer specifying in terms of standard maunds and seers, the quantity of the rationed articles obtainable thereon.

59. The Ration Authority shall be drawn up in duplicate: one copy shall be retained by the Town Rationing Officer by whom it is issued and the other copy shall be delivered to the appointed retailer.

60. The Ration Authority shall be submitted by the appointed retailer to the wholesaler to whom he has been attached by the Town Rationing Officer having jurisdiction in the area. The appointed wholesaler shall retain the Ration Authority duly receipted by the appointed retailer and on demand and offer of price by or on behalf of the appointed retailer shall supply to the appointed retailer rationed articles in quantities specified in the Ration Authority.

61. An appointed retailer being a person in charge of a *hat* shop shall in respect of his shop, maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such person as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept and such appointed retailer shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

#### *Chapter VII—Appointed Wholesalers.*

62. An appointed wholesaler shall maintain a Stock Register of all rationed articles issued to him in such form as may be specified by the Director. He shall submit the register to the Town Rationing Officer when so required by him.

63. For the initial allotment of rationed articles each appointed wholesaler shall receive before the rationing date from the Town Rationing Officer of Darjeeling or the Town Rationing Officer of Kalimpong, or the Town Rationing Officer of Kurseong, as the case may be, a Ration Authority specifying in terms of standard maunds the quantity of each rationed article which shall be obtained by the appointed wholesaler.

64. Subsequently, once a week the appointed wholesaler shall submit an indent to the Town Rationing Officer of Darjeeling, or the Town Rationing Officer of Kalimpong, or the Town Rationing Officer of Kurseong, as the case may be, for rationed articles showing the total amount of rationed articles issued to the appointed retailers and appointed establishment proprietors allotted to him. The Town Rationing Officer

shall issue to such wholesaler a Ration Authority specifying in terms of standard maunds and seers the quantity of each rationed article which shall be obtainable thereon by the appointed wholesaler:

Provided that in specifying the number of such maunds and seers, the Town Rationing Officer may, if he thinks it expedient, round off the number to the nearest maund.

65. On presentation of such Ration Authority and on payment of the price by or on behalf of the holder thereof at the Government godown to which the wholesaler has been attached the officer in charge of the Government godown shall issue rationed articles to such holder in quantities specified in the Ration Authority.

66. An appointed wholesaler shall maintain regular and accurate accounts of each rationed article obtained by him on ration documents and shall obey all general or special directions given in writing from time to time by the Director or such officer as may be authorised by the Director in this behalf concerning the manner in which and the conditions subject to which any rationed article may be supplied or obtained or kept for household consumption or for establishment consumption or in connection therewith and such appointed wholesaler shall also obey all directions given in writing from time to time by the Director regarding the price at which any rationed article shall be sold.

### **SCHEDULE A.**

#### **The Darjeeling-Kalimpong-Kurseong Urban Area.**

[See sub-clause (3) of clause 2.]

(1) The Municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.

(2) The area known as Fulbari Bustee bounded on the north, east and west by the Pandam Tea Gardens and on the south by the Municipality of Darjeeling.

(3) The area known as Rajbari Bustee bounded on the north by the Municipality of Darjeeling, on the east by Kotwali *Jhora*, on the west by *Kag Jhora* and on the south by the Arya Tea Gardens.

(4) The Municipality of Kalimpong in the district of Darjeeling.

(5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(6) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.

(11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

(12) The Municipality of Kurseong in the district of Darjeeling.



(13) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

(14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by *Jhora* No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(15) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus School Compound, on the south by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School Compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(16) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station of Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

## SCHEDULE B.

(See clause 17.)

A coupon on a Ration Card of the type specified in column 1 below shall be valid in respect of each rationed article for the number of units specified in the corresponding entry in column 2 below:—

Type of Ration Card.	Number of Units.
1	2
Ration Cards in respect of persons above the age of 8 years.	2.
Ration Cards in respect of persons of the age of 8 years and below.	2 in respect of sugar and salt and 1 in respect of other rationed articles.

**SCHEDULE C.**

(See clause 18.)

The unit of a Ration Card shall be valued as follows:—

Rice husk and in the husk	}	in combination ...	[1 seer and 5 chataks in the case of a person who is not a heavy manual worker and 1 seer and 12 chataks in the case of a person who is a heavy manual worker].
Wheat and wheat products ..			
Sugar .. .. .			2 chataks.
Salt .. .. .			1½ chataks.

<sup>1</sup>*Explanation.*—"Heavy manual worker" means a person regularly engaged in heavy manual work, and if any question arises as to whether a person is a heavy manual worker or not the decision of the Director or any other officer authorised in writing by the Director in this behalf shall be final.

**SCHEDULE D.**

(See clause 33.)

The unit of each rationed article shall, for the purpose of a Ration Permit, be valued as follows:—

	Seers.
Rice husked and in the husk .. .. .	5
Wheat .. .. .	5
Atta .. .. .	5
Flour .. .. .	5
Sugar .. .. .	1
Salt .. .. .	1

**SCHEDULE E.**

(See Regulation 18, proviso.)

The maximum amount up to which a rationed article may be taken is,—

(1) in respect of Ration Cards of two units—

(a) in the case of rice husked and in the husk—2 seers and 10 *chataks* if the holder is not a heavy manual worker and 3 seers and 8 *chataks* if the holder is a heavy manual worker,

(b) in the case of wheat and wheat products—1 seer and 8 *chataks*;

(2) in respect of Ration Cards of one unit—

(a) in the case of rice husked and in the husk—1 seer and 5 *chataks*;

(b) in the case of wheat and wheat products—1 seer.

*Explanation.*—"Heavy manual worker" has the same meaning as in Schedule C.

<sup>1</sup>Substituted by notification No. 3802 D.C.S., dated the 14th March, 1946.

<sup>2</sup>Inserted, *ibid.*

**FORMS.****Form AR-1 (Parts A and B).**

(See clause 43.)

*Register of Registered Ration Card/Permit Holders.*

Serial No.	Number of Ration Card (A) Ration Permit (B).	Name.	Address.	Units.	Initials of A. R. O. after check with counterfoil.	Cancellation.		Remarks.
						Date.	Reason.	

**FORM ES.-1.**

(See clause 48.)

Serial No.	Number of Ration Card or Serial No. in F-II Register.*	Name.	Address.	Units.	Initials of Town Rationing Officer after check.	Cancellation.		Remarks.
						Date.	Reason.	
1	2	3	4	5	6	7	8	

\*Only for cases where the maintenance of Register F-II has been specially authorised.

**F-II Register.**

(See clause 53.)

Name of Appointed Retailer.....

Shop No. E. S.....

Address.....

Serial No.	Full name.	Father's name.	Address in full (if within municipal area, the name of the municipality and if in a village, the name of the village, post office, thana and district).	Occupation and ticket or token No.
1	2	3	4	5

Age.	Signature of Town Rationing Officer.	Registration.		Cancellation.		Remarks.
		Date.	E. S.-I. Serial No.	Date.	Reason.	
6	7	8		9		10

**Daily Sales Register.**

(See clauses 43 and 48.)

Shop No. .... Week No. ....

Address: .....

From ..... 194..... to ..... 194.....

Serial No.	Cash Memo. No.	R. C. R. F.	Rice.	Wheat.	Flour.	Atta.
1	2	3	4	5	6	7
			Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.

Dal.	Sugar.				Amount.
8	9	10	11	12	13
Mds. Srs. chs.	Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.	Mds. ars. chs.	Rs. a. p.

*Notification No. 285 D.C.S., dated the 14th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 60).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) The Controller of Rationing, Calcutta,
- (2) Special Officer, Sub-Area Organisation,
- (3) Deputy Controller of Rationing (Establishments),
- (4) Deputy Controller of Rationing (Employers' Shops),
- (5) Additional Deputy Controller of Rationing, Appointed Retailers Section, and
- (6) Rationing Officers,

for the purposes of the said paragraph 18 in respect of the areas specified in the Schedule below:—

**Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3781 D.C.S., dated the 1st May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 143).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Calcutta,
- (2) the Deputy Controller of Rationing, in the Department of Civil Supplies, Bengal, with Headquarters at Khardah (24-Parganas),
- (3) the Deputy Controller of Rationing, in the Department of Civil Supplies, Bengal, with Headquarters at Bhadreswar (Hooghly),
- (4) the Special Officer, Sub-Area Organisation,
- (5) the Deputy Controller of Rationing (Employers' Shops), and
- (6) the Rationing Officers,

for the purposes of the said paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 5467 D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 725).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing, Sub-Area Organisation, for the purposes of the said paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank; (2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908; (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; (4) the municipalities of Howrah and Bally-Belur in the district of Howrah; and (5) the municipality of Budge Budge in the district of 24-Parganas.

*Notification No. 8698 D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 21st September, 1944, p. 215).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-Area Organisation,

- (3) the Deputy Controller of Rationing (Establishments),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Additional Deputy Controller of Rationing, and
- (6) the Rationing Officers,

for the purposes of the said sub-paragraph in respect of the area specified in the Schedule below:—

#### **Schedule.**

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by the C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 10082D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 25th October, 1944, Pt. I, p. 1283).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, for the purposes of the said paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5084D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, for the purposes of the said paragraph in respect of the "Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and the "Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 10219D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 191).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the District Magistrate of Dacca,
- (2) the Subdivisional Magistrate, Narayanganj,
- (3) the Town Rationing Officer, Dacca,
- (4) the Town Rationing Officer, Narayanganj,
- (5) the Assistant Town Rationing Officers, Dacca,
- (6) the Assistant Town Rationing Officers, Narayanganj,
- (7) the Assistant Rationing Officers, Dacca, and
- (8) the Assistant Rationing Officers, Narayanganj,

for the purposes of the said sub-paragraph in respect of the areas of their respective jurisdictions within the Dacca-Narayanganj Urban Area.

*Explanation.*—In this notification, the Dacca-Narayanganj Urban Area has the same meaning as in the Dacca-Narayanganj Urban Area Rationing Regulations, 1945.

*Notification No. 12886D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1764).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The District Magistrate, Tippera, and the Town Rationing Officer of Comilla.	The Comilla Urban Area.
The Assistant Rationing Officers, Comilla.	The areas of their respective jurisdictions within the Comilla Urban Area.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 915D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Joint Controllers of Rationing, Department of Civil Supplies, Bengal, for the purposes of the said paragraph in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation.*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1330D.C.S., dated the 26th January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1946, p. vi).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing (Kerosene) for the purposes of the said paragraph in respect of the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this notification "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1579D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. vii).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers

specified in column 1 of the table below for the purposes of the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The District Magistrate, Chittagong, and the Town Rationing Officer of Chittagong.	The Chittagong Urban Area.
The Assistant Rationing Officers, Chittagong.	The areas of their respective jurisdictions within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2824 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. xi).*

In exercise of the power conferred by paragraph 18 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below for the purposes of the said paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The Deputy Commissioner of Darjeeling.	The Darjeeling - Kalimpong Kurseong Urban Area.
The Town Rationing Officers of Darjeeling, Kalimpong and Kurseong and the Subdivisional Magistrates of Kalimpong and Kurseong.	The areas of their respective jurisdictions within the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the 'Darjeeling-Kalimpong-Kurseong Urban Area' has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946

*Notification No. 11963 D.C.S., dated the 18th December, 1944 (published in the "Calcutta Gazette" of the 21st December, 1944, Pt. I, p. 1517).*

In exercise of the power conferred by paragraph 20 of the Bengal Rationing Order, 1943, the Governor is pleased to exempt—

- (a) every person holding any land in the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area and having in his possession paddy produced from such land by himself or by members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* and also every person cultivating the land of another person in any such areas as an *adhiar*, *bargadar* or *bhaydar* and having in his possession any paddy produced by such cultivation, from the operation of the provisions of paragraphs 4 and 9 of the said Order in respect of selling such paddy to the owner or manager of a rice mill holding a license under the Bengal Rice Mills Control Order, 1943, and



- (b) every owner or manager of a rice mill holding license under the Bengal Rice Mills Control Order, 1943, from the operation of the provisions of paragraphs 7 and 9 of the said Order in respect of purchasing any such paddy from any of the persons referred to in clause (a).

*Explanation.*—In this Order “the Calcutta Industrial Area” and “the Calcutta Industrial (Extended) Area” have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 15308 D.C.S., dated the 21st December, 1945 (published in the “Calcutta Gazette, Extraordinary” of the 29th December, 1945, p. 615).*

In exercise of the power conferred by paragraph 20 of the Bengal Rationing Order, 1943, the Governor is pleased to exempt—

- (a) every person holding any land in the Dacca-Narayangunj Urban Area and having in his possession paddy produced from such land by himself or by members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* and also every person cultivating the land of another person in any such areas as an *adhiar*, *bargadar* or *bhagdar* and having in his possession any paddy produced by such cultivation from the operation of the provisions of paragraphs 4 and 9 of the said Order in respect of selling such paddy to the owner or manager of a rice mill holding a license under the Bengal Rice Mills Control Order, 1943, and

- (b) every owner or manager of a rice mill holding license under the Bengal Rice Mills Control Order, 1943, from the operation of the provisions of paragraphs 7 and 9 of the said Order in respect of purchasing any such paddy from any of the persons referred to in clause (a).

*Explanation.*—In this Order “the Dacca-Narayangunj Urban Area” has the same meaning as in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

*Notification No. 15310 D.C.S., dated the 21st December, 1945 (published in the “Calcutta Gazette, Extraordinary” of the 29th December, 1945, p. 616).*

In exercise of the power conferred by paragraph 20 of the Bengal Rationing Order, 1943, the Governor is pleased to exempt—

- (a) every person holding any land in the Comilla Urban Area and having in his possession paddy produced from such land by himself or members of his family with or without the help of paid labourers or by his *adhiars*, *bargadars* or *bhagdars* and also every person cultivating the land of another person in any such areas as an *adhiar*, *bargadar* or *bhagdar* and having in his possession any paddy produced by such cultivation, from the operation of the provisions of paragraphs 4 and 9 of the said Order in respect of selling such paddy to the owner or manager of a rice mill holding a license under the Bengal Rice Mills Control Order, 1943, and

- (b) every owner or manager of a rice mill holding license under the Bengal Rice Mills Control Order, 1943, from the operations of the provisions of paragraphs 7 and 9 of the said Order in respect of purchasing any such paddy from any of the persons referred to in clause (a).

*Explanation.*—In this Order “the Comilla Urban Area” has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 2827 D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. xi).*

In exercise of the power conferred by paragraph 20 of the Bengal Rationing Order, 1943, the Governor is pleased to exempt all persons growing in the district of Darjeeling hill-rice of superior grade as determined by the Director of Rationing or any officer authorised by him in this behalf from the operation of the provisions of paragraph 4 of the said Order in respect of their supplying such rice to any person who has obtained a ration card in the area specified in the Schedule below and who has also obtained for purchasing such rice a permit from the Subdivisional Magistrate of Kalimpong or Kurseong or the Town Rationing Officer of Darjeeling.

### **The Schedule.**

- (1) The Municipality of Darjeeling including Lebong Cantonment and Jalapahar Cantonment in the district of Darjeeling.
- (2) The area known as Fulbari Bustee bounded on the north, east and west by the Fandan Tea Gardens and on the south by the Municipality of Darjeeling.
- (3) The area known as Rajbari Bustee bounded on the north by the Municipality of Darjeeling, on the east by Kotwali Jhora, on the west by Kag Jhora and on the south by the Arya Tea Gardens.
- (4) The Municipality of Kalimpong in the district of Darjeeling.
- (5) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (6) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (7) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (8) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (9) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (10) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (11) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.
- (12) The Municipality of Kurseong in the district of Darjeeling.
- (13) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.
- (14) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by Jhora No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.
- (15) The area known as St. Mary's Bustee bounded on the north by Jhora No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus School Compound, on the south by St. Helen's Jhora, Dow Hill Road and Northern Dow Hill School Compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.
- (16) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip

of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(17) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station Kurseong in the district of Darjeeling.

(18) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(19) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

*Notification No. 286D.C.S., dated the 14th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 60).*

In exercise of the power conferred by paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) The Controller of Rationing, Calcutta,
- (2) Special Officer, Sub-Area Organisation,
- (3) Deputy Controller of Rationing (Establishments),
- (4) Deputy Controller of Rationing (Employers' Shops),
- (5) Additional Deputy Controller of Rationing, Appointed Retailers Section,
- (6) Assistant Controllers of Rationing,
- (7) Transport and Storage Officer,
- (8) Special Officers in the office of the Controller of Rationing,
- (9) Chief Inspectors, Deputy Chief Inspectors, Inspectors, Sub-Inspectors under the Controller of Rationing, and
- (10) Rationing Officers,

for the purposes of the said paragraph 21 in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 3782 D.C.S., dated the 1st May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 1st May, 1944, p. 144).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Calcutta,
- (2) the Deputy Controller of Rationing, in the Department of Civil Supplies, Bengal, with headquarters at Khardah (24-Parganas),
- (3) the Deputy Controller of Rationing, in the Department of Civil Supplies, Bengal, with Headquarters at Bhadreswar (Hooghly),
- (4) the Special Officer, Sub-Area Organisation,
- (5) the Deputy Controller of Rationing (Employers' Shops),
- (6) the Assistant Controller of Rationing,
- (7) the Special Officer, Rationing, Khardah (24-Parganas),
- (8) the Special Officer, Rationing, Bhadreswar (Hooghly),
- (9) the Rationing Officers, and
- (10) the Chief Inspectors, Deputy Chief Inspectors, Inspectors and Sub-Inspectors under the Controller of Rationing,

to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

1. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagarh, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

2. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

*Notification No. 5468 D.C.S., dated the 25th May, 1944 (published in the "Calcutta Gazette" of the 1st June, 1944, Pt. I, p. 725).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing, Sub-Area Organisation, to exercise the powers referred to in clauses (a) to (f) of the sub-paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank; (2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908; (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; (4) the municipalities of Howrah and Bally-Belur in the district of Howrah; and (5) the municipality of Budge Budge in the district of 24-Parganas.

*Notification No. 8699 D.C.S., dated the 30th August, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th November, 1944, p. 215).*

In exercise of the power conferred by sub-paragraph (I) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the Controller of Rationing, Civil Supplies Department, Bengal,
- (2) the Deputy Controller of Rationing, Sub-Area Organisation,
- (3) the Deputy Controller of Rationing (Establishments),
- (4) the Deputy Controller of Rationing (Employers' Shops),
- (5) the Additional Deputy Controller of Rationing,
- (6) the Assistant Controllers of Rationing,
- (7) the Transport and Storage Officer,
- (8) the Special Officers under the Controller of Rationing,
- (9) the Chief Inspectors, Deputy Chief Inspectors, Inspectors and Sub-Inspectors under the Controller of Rationing, and
- (10) the Rationing Officers,

to exercise the powers referred to in clauses (a) and (f) of the said sub-paragraph in respect of the areas specified in the Schedule below:—

#### **Schedule.**

The *mauza* of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by C. S. khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 10083 D.C.S., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1283).*

In exercise of the power conferred by sub-paragraph (I) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Additional Controller of Rationing, Civil Supplies Department, Bengal, to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of "the Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and "the Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 5085 D.C.S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by sub-paragraph (I) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the "Calcutta Industrial Area" as defined in the Calcutta Industrial Area Rationing Regulations, 1943, and the "Calcutta Industrial (Extended) Area" as defined in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No.10220D.C.S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary", of the 4th August, 1945, p. 191).*

In exercise of the powers conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise—

- (1) the District Magistrate of Dacca,
- (2) the District Controller of Civil Supplies, Dacca,
- (3) the Subdivisional Magistrate, Narayanguj,
- (4) the Town Rationing Officer, Dacca,
- (5) the Town Rationing Officer, Narayanguj,
- (6) the Assistant Town Rationing Officers, Dacca,
- (7) the Assistant Town Rationing Officers, Narayanguj,
- (8) the Assistant Rationing Officers, Dacca,
- (9) the Assistant Rationing Officers, Narayanguj,
- (10) the Inspectors of Rationing, Dacca,
- (11) the Inspectors of Rationing, Narayanguj,
- (12) the Sub-Inspectors of Rationing, Dacca, and
- (13) the Sub-Inspectors of Rationing, Narayanguj,

to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph within their respective jurisdictions in the Dacca-Narayanguj Urban Area.

*Explanation.*—In this notification, the Dacca-Narayanguj Urban Area has the same meaning as in the Dacca-Narayanguj Urban Area Rationing Regulations, 1945.

*Notification No. 12887D.C.S., dated the 25th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1764).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table :—

Officers. 1	Areas. 2
The District Magistrate of Tippera, the District Controller of Civil Supplies, Tippera, and the Town Rationing Officer of Comilla.	The Comilla Urban Area.
The Assistant Rationing Officers, Comilla, the Inspectors of Rationing, Comilla, and the Sub-Inspectors of Rationing, Comilla.	The areas of their respective jurisdictions within the Comilla Urban Area.

*Explanation.*—In this notification, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945

*Notification No. 916D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Joint Controllers of Rationing, Department of Civil Supplies,

Bengal, to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation.*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1331D.C.S., dated the 26th January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 28th January, 1945, p. vi).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the Deputy Controller of Rationing (Kerosene) to exercise the powers referred to in clauses (a) to (f) of the sub-paragraph in respect of the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this notification "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1580D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. vii).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The District Magistrate of Chittagong.	The Chittagong Urban Area.
The District Controller of Civil Supplies, Chittagong, and the Town Rationing Officer of Chittagong.	
The Assistant Rationing Officers, Chittagong, the Inspectors of Rationing, Chittagong, and the Sub-Inspectors of Rationing, Chittagong.	The areas of their respective jurisdictions within the Chittagong Urban Area.

*Explanation.*—In this notification, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2823D.C.S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. xi).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 21 of the Bengal Rationing Order, 1943, the Governor is pleased to authorise the officers specified in column 1 of the table below to exercise the

powers referred to in clauses (a) to (f) of the said sub-paragraph in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers.	Areas.
1	2
The Deputy Commissioner of Darjeeling, the District Controller of Civil Supplies, Darjeeling.	The Darjeeling-Kalimpong-Kurseong Urban Area.
The Subdivisional Magistrate, Kalimpong, the Subdivisional Magistrate, Kurseong, the Town Rationing Officer, Darjeeling, the Town Rationing Officer, Kalimpong, the Town Rationing Officer, Kurseong, the Inspectors of Rationing, Darjeeling, the Inspectors of Rationing, Kalimpong, the Inspectors of Rationing, Kurseong, the Sub-Inspectors of Rationing, Darjeeling, the Sub-Inspectors of Rationing, Kalimpong, the Sub-Inspectors of Rationing, Kurseong.	The areas of their respective jurisdictions within the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this notification, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 2217 D.C.S., dated the 1st December, 1943 (published in the "Calcutta Gazette" of the 2nd December, 1943, Pt. I, p. 1756).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Controller of Rationing, Calcutta, the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order:

Provided that the powers under sub-paragraph (3) of paragraph 10 may be exercised by officers of the Rationing Offices by whom the Controller of Rationing, Calcutta, caused the ration documents to be issued under sub-paragraph (1) of the said paragraph.

*Notification No. 3601 D.C.S., dated the 17th January, 1944 (published in the "Calcutta Gazette" of the 20th January, 1944, Pt. I, p. 60).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Controller of Rationing, Calcutta, the power under sub-paragraph (3a) of paragraph 3 of the said Order.

*Notification No. 8856 D.S.C., dated the 2nd September, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 220).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Deputy Controller of Distribution in charge of Salt, Civil Supplies Department, Bengal, the powers under paragraph 19 of the Order in respect to the supply and distribution of Salt.



*Notification No. 10687 D.S.C., dated the 19th October, 1944 (published in the "Calcutta Gazette" of the 26th October, 1944, Pt. I, p. 1284).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Additional Controller of Rationing, Civil Supplies Department, Bengal, the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order.

*Notification No. 3178 D. C. S., dated the 26th March, 1945 (published in the "Calcutta Gazette" of the 5th April, 1945, Pt. I, p. 520).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, and in supersession of this department notification No. 8856 D.C.S., dated the 2nd September, 1944, the Governor is pleased to delegate to the Director of Supply, Department of Civil Supplies, Bengal, and the Deputy Director of Supply in charge of Salt, Department of Civil Supplies, Bengal, the powers conferred on Provincial Government by paragraph 19 of the said Order with respect to the supply and distribution of salt.

*Notification No. 5086 D. C. S., dated the 21st April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 662).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order.

*Notification No. 10221 D. C. S., dated the 31st July, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 4th August, 1945, p. 191).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the officers specified in column 1 of the table below the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order in respect of the areas specified in the corresponding entries in column 2 of the said table:—

Officers. 1	Areas. 2
The District Magistrate of Dacca.	The Dacca-Narayangunj Urban Area.
The Town Rationing Officer, Dacca, and the Subdivisional Magistrate, Narayangunj.	The areas of their respective jurisdictions within the Dacca-Narayangunj Urban Area.

*Explanation.*—In this Order, the Dacca-Narayangunj Urban Area has the same meaning as in the Dacca-Narayangunj Urban Area Rationing Regulations, 1945.

*Notification No. 12888 D. C. S., dated the 25th October, 1945 (published in the "Calcutta Gazette, of the 1st November, 1945, Pt. I, p. 1762).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the

District Magistrate of Tippera and the Town Rationing Officer of Comilla the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order in respect of the Comilla Urban Area.

*Explanation.*—In this Order, the Comilla Urban Area has the same meaning as in the Comilla Urban Area Rationing Regulations, 1945.

*Notification No. 917 D. C. S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I, p. 231).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Joint Controllers of Rationing, Department of Civil Supplies, Bengal, the powers under sub-paragraphs (1) and (3) of paragraph 10, and paragraph 19 of the said Order, in respect of the areas of their respective jurisdictions within the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area".

*Explanation:*—In this notification, the "Calcutta Industrial Area" and the "Calcutta Industrial (Extended) Area" have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 1581 D. C. S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th February, 1946, p. vii).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the District Magistrate of Chittagong and the Town Rationing Officer of Chittagong the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order in respect of the Chittagong Urban Area.

*Explanation.*—In this Order, the Chittagong Urban Area has the same meaning as in the Chittagong Urban Area Rationing Regulations, 1946.

*Notification No. 2825 D. C. S., dated the 27th February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 9th March, 1946, p. xi).*

In exercise of the power conferred by paragraph 22 of the Bengal Rationing Order, 1943, the Governor is pleased to delegate to the Subdivisional Magistrate, Kalimpong, the Subdivisional Magistrate, Kurseong, and Town Rationing Officer, Darjeeling, the powers under paragraph 3, sub-paragraphs (1) and (3) of paragraph 10 and paragraph 19 of the said Order in respect of the Darjeeling-Kalimpong-Kurseong Urban Area.

*Explanation.*—In this Order, the "Darjeeling-Kalimpong-Kurseong Urban Area" has the same meaning as in the Darjeeling-Kalimpong-Kurseong Urban Area Rationing Regulations, 1946.

*Notification No. 901, dated the 22nd September, 1943 (published in the "Calcutta Gazette" of the 23rd September, 1943, Pt. I, p. 1480).*

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Rationing Preparatory Inquiry Order, 1943.

(2) It shall apply to the areas specified in Schedule I to this Order and may be extended by the Provincial Government by notification in the *Official Gazette* to such other areas as may be specified in the notification.

2. In this Order,—

- (1) "Controller" means the officer appointed by the Provincial Government to be the Controller of Rationing;
- (2) "Inquiry Officer" means a member of the Warden's branch of the Air Raid Precaution Service constituted under the Air Raid Precaution Services Ordinance, 1941, and includes any person authorised by the Controller to collect the information referred to in paragraph 3.

3. Every person shall on demand being made either orally or in writing by an Inquiry Officer furnish to such officer forthwith or within such period as may be fixed in this behalf by such officer full and true information on the following matters and on such other matters as may be incidental or explanatory thereto:—

- (a) his name, age and occupation, and if employed, place of employment and name of employer;
- (b) the name, age, occupation, and if employed, the place of employment and name of employer of the head of the family to which he belongs;
- (c) the name, age and occupation, and if employed, the place of employment and the name of the employer of such of the members of his family as live in the same premises and share a common mess;
- (d) the name, age, occupation, and if employed, the place of employment and the name of employer of such other person or persons not belonging to the family but living in the same premises and sharing a common mess with the family; and
- (e) the name and age of any servant or servants living on the premises employed by him or by the head of the family to which he belongs.

4. (1) On receipt of the information referred to in paragraph 3, the Inquiry Officer shall verify the information by such inquiries as he may consider necessary to make and shall then compile and sign a return in the form set out in Schedule II to this Order and thereafter forward the return to the Controller or such other officer as may be specified in this behalf by the said Controller.

(2) For the purposes of sub-paragraph (1), an Inquiry Officer may at any time after sunrise and before sunset enter upon and inspect any premises:

Provided that in entering upon and inspecting any premises the Inquiry Officer shall have due regard to the social and religious customs of the persons occupying the premises.

#### **Schedule I.**

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings North of the south edge of Clyde Row and Strand Road to the river bank;

2. The South Suburban Municipality and the Municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

3. The Municipalities of Howrah and Bally-Belur in the district of Howrah.

### Schedule II.

No. .... Rationing Inquiry Form. .... Area.

Sub-Area. .... Post-Area. .... Sector. ....

Street

House No.

Road

Flat No.

Name of head of family.	Occupation and name of firm, factory, etc., where employed.	Age.

Names of members (including servants) living with head of family.	Relationship.	Occupation and name of firm, factory, etc., where employed.	Age Yrs. M.

Signature of Enquiring Officer. ....

Received ration cards numbered. ....

Signature or thumb impression of head of family or responsible member.

Name of head of family.  
Address.

*Notification No. 10195 D. C. S., dated the 31st July, 1945 (published in the "Calcutta Gazette" of the 2nd August, 1945, Pt. I, p. 1285).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing Preparatory Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below:—

### The Schedule.

(1) The municipality of Comilla in the district of Tippera.

(2) The part of mauza Sashangachha bearing jurisdiction list No. 447 covered by cadastral survey plot Nos. 225 to 227, 238 to 240, 458, 459, 503 and 506 to 519 within the police-station Kotwali in the district of Tippera.

(3) The part of mauza Dharampore bearing jurisdiction list No. 227 covered by cadastral survey plot Nos. 114 to 116, 135, 136, 175 and 395 within the police-station Kotwali in the district of Tippera.

*Notification No. 12407 D. C. S., dated the 3rd October, 1945 (published in the "Calcutta Gazette" of the 11th October, 1945, Pt. I, p. 1679).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing Preparatory Inquiry Order, 1943, the Governor is pleased to extend the said order to the Municipality of Chittagong.

*Notification No. 13987 D. C. S., dated the 23rd November, 1945 (published in the "Calcutta Gazette" of the 29th November, 1945, Pt. I, p. 2018).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing Preparatory Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below :—

#### **The Schedule.**

- (1) The Municipality of Kalimpong in the district of Darjeeling.
- (2) The whole of the Bong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (3) The whole of the Bhalukhop Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (4) The whole of the Dongra Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (5) The whole of the Kalimpong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (6) The whole of the Sindipong Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (7) The whole of the Pudung Khasmahal block within the police-station Kalimpong in the district of Darjeeling.
- (8) The whole of the St. Andrew's Colonial Homes land within the police-station Kalimpong in the district of Darjeeling.

*Notification No. 13988 D. C. S., dated the 23rd November, 1945 (published in the "Calcutta Gazette" of the 29th November, 1945, Pt. I, p. 2018).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 1 of the Bengal Rationing Preparatory Inquiry Order, 1943, the Governor is pleased to extend the said Order to the areas specified in the Schedule below :—

#### **The Schedule.**

- (1) The Municipality of Kurseong in the district of Darjeeling.
- (2) The area known as Kharee Bustee bounded on the north by the Dilaram Tea Estate, on the west by the Ringtong Tea Estate, on the south by uncultivated land and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.
- (3) The area known as Goethal's Siding bounded on the north by forest land, on the west by the Hill Cart Road, on the south by Jhora No. 501, on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(4) The area known as St. Mary's Bustee bounded on the north by *Jhora* No. 501, on the west by the Hill Cart Road and eastern boundary of St. Alphonsus' School Compound, on the south by St. Helen's *Jhora*, Dow Hill Road and Northern Dow Hill School Compound and on the east by forest land within the police-station Kurseong in the district of Darjeeling.

(5) The area known as Burbong Bustee bounded on the north by the Castleton Tea Estate and forest land, on the west and south by the strip of land separating Burbong Bustee from Upper Giddapahar and on the east by the Majhua Tea Estate and forest land within the police-station Kurseong in the district of Darjeeling.

(6) The area known as Upper Giddapahar bounded on the north by the Castleton Tea Estate and a strip of land separating Burbong Bustee from the Upper Giddapahar, on the west and south by the Hill Cart Road and on the east by the Gumti Tea Estate and Majhu Tea Estate within the police-station Kurseong in the district of Darjeeling.

(7) The area known as Lower Giddapahar bounded on the north by Dhobi Khola Bustee and Hill Cart Road, on the west by the Castleton Tea Estate and the Rohini Tea Estate and on the east by the Rohini Tea Estate and Giddapahar Tea Estate within the police-station Kurseong in the district of Darjeeling.

(8) The area known as Dhobi Khola Bustee bounded on the north by Dhobi Khola *Jhora*, on the west by the Dhobi Khola *Jhora* and the Castleton Tea Estate, on the south by the Castleton Tea Estate and the northern boundary of Lower Giddapahar and on the east by the Hill Cart Road within the police-station Kurseong in the district of Darjeeling.

*Notification No. 1079 (L. L.), dated the 31st July, 1945 (published in the "Calcutta Gazette" of the 2nd August, 1945, Pt. I, p. 1300).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 4 of the Bengal Rationing Preparatory Inquiry Order, 1943, I hereby specify the Town Rationing Officer of Comilla to be the officer to whom returns referred to in the said sub-paragraph shall be forwarded.

### (VIII) GUR AND SUGAR.

*Notification No. 12541 D. C. S., dated the 8th October, 1945 (published in the "Calcutta Gazette" of the 9th October, 1945, Pt. I, p. 229).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules, that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

#### Order.

1. (1) This Order may be called the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Director-General" means the Director-General, Food, in the Department of Civil Supplies, Bengal, appointed by the Provincial Government and includes such other officers as may be authorised by him by an order in writing to exercise all or any of the powers conferred upon the Director-General by this Order;

- (b) "gur" means articles commonly known as *gur*, *gul*, *jaggery*, *shakkar* and *rab*, and includes raw sugar as also uncrystallised sugar in any other form comprised of original and convertible molasses and other impurities, inherent or foreign, prepared by boiling sugar-cane juice;
- (c) "sugar" means any form of sugar containing more than ninety *per cent.* of sucrose;
- (d) "sugar-cane apparatus" means any machine, appliance or apparatus commonly used for crushing sugar-cane or boiling sugar-cane juice;
- (e) "sugar factory" means a factory in which or in any part of which any manufacturing process connected with the production of sugar or sugar products or both is being carried on or is ordinarily carried on with the aid of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;
- (f) "sugar product" means any article manufactured from sugar and containing not less than fifty *per cent.* by weight of sugar;
- (g) "zone" means any area declared to be a zone for the purposes of this Order under paragraph 3 of this Order.

3. The Director-General may, by notification in the *Official Gazette*, declare any area to be a zone for the purposes of this Order and may in like manner vary, amend or rescind any notification so issued.

4. The Director-General may from time to time specify by notification in the *Official Gazette* a period or periods in each year in respect of each zone during which no *gur* shall be manufactured therein by any person and no sugar or sugar product shall be manufactured except in a sugar factory by any person within such zone.

5. No person shall move, or cause to be moved, any *gur* or sugar-cane, and no person other than a person owning or having charge or control of a sugar factory shall move or cause to be moved any sugar or sugar product from any place within a zone to any place outside such zone by rail, road, river or in any other manner whatsoever:

Provided that the Director-General may by an order in writing exempt any person from the operation of this paragraph in respect of such quantities of *gur*, sugar-cane, sugar or sugar product and for such period as may be specified in the Order.

6. No person shall at any place within a zone acquire or obtain by purchase, hire or otherwise, except for installation or use in a sugar factory, any sugar-cane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory, during such period every year as may be specified in this behalf by notification in the *Official Gazette* by the Director-General and no person other than a person owning or having charge or control of a sugar factory shall bring any such apparatus from any place outside a zone to any place within such zone by rail, road or river or in any other manner whatsoever at any time during the period so specified:

Provided that the Director-General may by an order in writing exempt any person from the operation of this paragraph in respect of such apparatus and for such period and subject to such conditions as may be specified in the Order.

7. After an area has been declared to be a zone under paragraph 3 of this Order no person, except a person owning or having charge or control of a sugar factory, shall enter into any contract for the hire of any sugar-cane apparatus for the purpose of using it at any place within such zone

for the crushing of sugar-cane or for the boiling of sugar-cane juice if such contract contains any term which enables the use of such apparatus during any period prior to the 1st day of December 1945 and any such contract if entered into shall be void within the meaning of the Indian Contract Act, 1872, and shall not be enforceable by law and no person shall deliver any such apparatus to any person in terms of any such contract.

8. Any contract entered into, before the declaration under paragraph 3 of any area to be a zone, for the hire of any sugar-cane apparatus for the purpose of using it at any place within such zone otherwise than in a sugar factory for the crushing of sugar-cane, or for the boiling of sugar-cane juice, which contains any term enabling the use of such apparatus during any period after such declaration, but before the 1st day of December 1945, shall—

(a) in the case where no delivery of such apparatus has been made under the said contract before such declaration, be deemed to be void within the meaning of the Indian Contract Act, 1872, and shall not be enforceable by law and no such delivery shall be made after such declaration;

(b) in the case where the delivery of such apparatus has been made in accordance with the terms of such contract before such declaration, unless the contract is by the consent of the parties thereto revised otherwise so as not to contravene the provisions of this Order, be deemed to have been revised as if for the period between such declaration and the 30th day of November 1945, during which such apparatus cannot be used by reason of the operation of the provisions of this Order, a like period commencing on the 1st day of December 1945 or on the date of termination of the period of hire mentioned in such contract, whichever is later, had been substituted and the contract shall be enforceable in this revised form and not otherwise.

9. In every sugar factory situated within a zone the crushing of sugar-cane and the production of sugar shall, unless such sugar factory is expressly exempted from the provisions of this paragraph by order in writing of the Director-General, be commenced on or before such date in each year as may be specified in this behalf by the Director-General by notification in the *Official Gazette*.

10. If the owner or person in charge or control of a sugar factory refuses or omits to purchase sugar-cane from any person growing such sugar-cane within the zone within which such sugar factory is situated, the Director-General may, on application made to him in that behalf by such person, and after making such inquiry, if any, as he may deem necessary, by order in writing direct the owner or person in charge or control of such sugar factory to purchase from the applicant or his agent such quantity of sugar-cane at such place and by such date as may be specified in the order and thereupon such owner or person in charge or control of the sugar factory shall comply with such Order.

11. The Director-General may, with a view to securing compliance with this Order—

(a) enter upon and inspect or authorise any person to enter upon and inspect any premises within a zone in which he has reason to believe that *gur*, sugar or any sugar product is being manufactured or any sugar-cane apparatus is being held in contravention of this Order;



- (b) detain and search or authorise any person to detain and search any boat, motor vehicle, cart or any other vehicle in which he has reason to believe that *gur*, sugar-cane, sugar or any sugar product or any sugar-cane apparatus is being moved in contravention of this Order;
- (c) seize or authorise any person to seize any *gur*, sugar-cane, sugar or sugar product or any sugar-cane apparatus in respect of which he has reason to believe that a contravention of this Order has been committed.

12. If any person contravenes the provisions of this Order, then, without prejudice to any other punishment to which he may be liable, any Court trying the contravention shall order that any *gur*, sugar-cane, sugar or sugar product, or any sugar-cane apparatus, together with packages and coverings thereof, in respect of which the Court is satisfied that the contravention has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole, or as the case may be, a part of the property.

*Notification No. IV-A-6/45-2434 O.C., dated the 12th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. I, p. 1902).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby authorise the officers mentioned in column 1 of the table below to exercise the powers conferred upon the Director-General by the provisions of the said Order specified in the corresponding entries in column 2 of that table in respect of the areas specified in the corresponding entries in column 3 of the said table—

Officers.	Provisions of the order.	Areas.
1		
All Subdivisional Magistrates ..	Proviso to paragraph 5 and the proviso to paragraph 6 of the Order.	Zones declared under paragraph 3 of the said Order or any part of such zones situated within the respective subdivisions of which they are in charge.
All Circle Officers ..	Paragraph 10 of the Order	Zones declared under paragraph 3 of the said Order or any part of such zones situated within the areas of their respective jurisdictions.
All officers of the Enforcement Division in the Department of Civil Supplies, Bengal, of and above the rank of Sugar-zone Sub-Inspector.	Clause (a) of paragraph 11 of the Order.	The areas of their respective jurisdictions.
All officers of the Enforcement Division in the Department of Civil Supplies, Bengal.	Clauses (b) and (c) of paragraph 11 of the Order.	The areas of their respective jurisdictions.

*Notification No. IV-A-6/45-2364 O.C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 256).*

In exercise of the power conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

#### **The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2365 O.C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 258).*

In exercise of the power conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

**The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2366 O. C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 265).*

In exercise of the power conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

**The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2367 O. C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 269).*

In exercise of the power conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

**The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2427 O. C., dated the 10th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. I, p. 1901).*

In exercise of the power conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

**The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2464 O. C., dated the 20th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1923).*

In exercise of the powers conferred by paragraph 3 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby declare the area specified in the Schedule below to be a Zone for the purposes of the said Order.

**The Schedule.**

*[Not printed here.]*

*Notification No. IV-A-6/45-2368 O. C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 256)*

In exercise of the power conferred by paragraph 4 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify in respect of each of the areas declared to be a zone by notifications Nos. IV-A-6/45-2364-O.C., IV-A-6/45-2365-O.C., IV-A-6/45-2366-O.C. and IV-A-6/45-2367-O.C., each dated the 2nd November 1945, the period commencing on the date of publication of this notification

in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no gur shall be manufactured by any person and no sugar or sugar products shall be manufactured except in a sugar factory by any person within such zone.

*Notification No. IV-A-6/45-2428 O. C., dated the 10th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. I, p. 1902).*

In exercise of the power conferred by paragraph 4 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify in respect of the area declared to be a zone by notification No. IV-A-6/45-2427-O.C., dated the 10th November 1945, the period commencing on the date of publication of this notification in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no gur shall be manufactured by any person and no sugar or sugar products shall be manufactured except in a sugar factory by any person within such zone.

*Notification No. IV-A-6/45-2465 O. C., dated the 20th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1925).*

In exercise of the power conferred by paragraph 4 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify in respect of the area declared to be a zone by notification No. IV-A-6/45-2464-O.C., dated the 20th November 1945, the period commencing on the date of publication of this notification in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no gur shall be manufactured by any person and no sugar or sugar products shall be manufactured except in a sugar factory by any person within such zone.

*Notification No. IV-A-6/45-2369 O. C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 256).*

In exercise of the power conferred by paragraph 6 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify the period commencing on the date of publication of this notification in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no person shall at any place within any zone declared under notifications Nos. IV-A-6/45-2364-O.C., IV-A-6/45-2365-O.C., IV-A-6/45-2366-O.C. and IV-A-6/45-2367-O.C., each dated the 2nd November 1945, acquire or obtain by purchase, hire or otherwise, except for installation or use in a sugar factory, any sugar-cane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory.

*Notification No. IV-A-6/45-2429 O. C., dated the 10th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. I, p. 1902).*

In exercise of the power conferred by paragraph 6 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify the period commencing on the date of publication of this notification in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no person shall at any place within the zone declared under notification No. IV-A-6/45-2327-O.C., dated the 10th November 1945, acquire or obtain by purchase, hire or otherwise, except for installation or use in a sugar factory any sugar-cane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory.

*Notification No. IV-A-6/45-2466 O. C., dated the 20th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1925).*

In exercise of the power conferred by paragraph 6 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order,

1945, I hereby specify the period commencing on the date of publication of this notification in the *Calcutta Gazette* and ending on the 15th December 1945 to be the period during which no person shall at any place within the zone declared under notification No. IV-A-6/45-2464-O.C., dated the 20th November 1945, acquire or obtain by purchase, hire or otherwise, except for installation or use in a sugar factory, any sugar-cane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory.

*Notification No. IV-A-6/45-2370 O. C., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 206).*

In exercise of the power conferred by paragraph 9 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify the 20th day of December 1945 to be the date on or before which the crushing of sugar-cane and the production of sugar shall be commenced in the year 1945 under the said paragraph in every sugar factory situated within any of the areas declared to a zone by notifications Nos. IV-A-6/45-2364-O.C., IV-A-6/45-2365-O.C., IV-A-6/45-2366-O.C. and IV-A-6/45-2367-O.C., each dated the 2nd November 1945.

*Notification No. IV-A-6/45-2430-O.C., dated the 10th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. I, p. 1902).*

In exercise of the power conferred by paragraph 9 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify the 20th day of December 1945 to be the date on or before which the crushing of sugar-cane and the production of sugar shall be commenced in the year 1945 under the said paragraph in every sugar factory situated within the area declared to be a zone by notification No. IV-A-6/45-2427-O.C., dated the 10th November 1945.

*Notification No. IV-A-6/45-2467 O.C., dated the 20th November, 1945 (published in the "Calcutta Gazette" of the 22nd November, 1945, Pt. I, p. 1925).*

In exercise of the power conferred by paragraph 9 of the Bengal Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1945, I hereby specify the 20th day of December 1945 to be the date on or before which the crushing of sugar-cane and the production of sugar shall be commenced in the year 1945 under the said paragraph in every sugar factory situated within the area declared to be a zone by notification No. IV-A-6/45-2464 O.C., dated the 20th November 1945.

*Notification No. 258 D.C.S., dated the 11th January, 1943 (published in the "Calcutta Gazette" of the 14th January, 1943, Pt. I, p. 56).*

### **Order.**

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to direct that no sugar factory within the province of Bengal shall enter into any commitments in respect of the sugar produced or to be produced with effect from the 1st January, 1943, or shall despatch any sugar out of the factory to any destination from the new stock, till the factory receives instructions in the matter of despatch from the Director of Civil Supplies, Bengal. Violation of this order is punishable with imprisonment for a term which may extend to three years or with fine or with both.

*Notification No. 13226D.C.S., dated the 2nd November, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 6th November, 1945, p. 255).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

1. (1) This Order may be called the Bengal Sugar-cane Prices Control Order, 1945.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-Tracts.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (a) "maund" means a maund consisting of forty seers, each seer being equivalent to eighty tolas, and each tola being equivalent to 180 grains troy;
- (b) "sugar" means any form of sugar containing more than ninety *per cent.* of sucrose;
- (c) "sugar-factory" means a factory in which or in any part of which any manufacturing process connected with the production of sugar or sugar products or both is being carried on or is ordinarily carried on with the aid of electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;
- (d) "sugar product" means any article manufactured from sugar and containing not less than fifty *per cent.* by weight of sugar.

3. No owner or person in charge or control of any sugar factory and no employee, agent or other person purchasing sugar-cane on behalf of such owner or person in charge or control of a sugar factory shall purchase sugar-cane at prices less than those specified below:—

- (a) For sugar-cane purchased at the gate of the sugar factory—Re. 1-2 as. per maund.
- (b) For sugar-cane purchased at a Railway Station for transport to the sugar factory by rail at the cost of the owner or person in charge or control of the sugar factory—Re. 1 per maund.
- (c) For sugar-cane purchased at riverside for transport to the sugar factory by boats at the cost of the owner or person in charge or control of the sugar factory—Re. 0-14-0 per maund.
- <sup>1</sup>[(d) For sugar-cane purchased at any other place for transport to the sugar factory by road at the cost of the owner or person in charge or control of the factory—such price being not less than Re. 0-14-0 per maund and not more than Re. 1-2-0 per maund as may be fixed in this behalf by an order in writing by the District Magistrate of the district within which such place is situated.]

4. The Director-General, Food, Department of Civil Supplies, Bengal, or any person authorised by him in writing in this behalf, may—

- (a) at any time enter upon and inspect any premises used or believed to be used for the purchase of any sugar-cane for its use in a sugar factory,

---

<sup>1</sup>Added by notification No. 982D.C.S., dated the 19th January, 1946.

- (b) inspect or cause to be inspected any apparatus, scales or weights or measures used for the weighment of sugar-cane at the time of making such purchase and any books, registers, accounts, papers and records relating to any such purchase of sugar-cane.

*Notification No. IV-A-6/45-2435-O.C., dated the 12th November, 1945 (published in the "Calcutta Gazette" of the 15th November, 1945, Pt. 1, p. 1902).*

In exercise of the power conferred by paragraph 4 of the Bengal Sugar-cane Prices Control Order, 1945, I hereby authorise all officers of the Enforcement Division in the Department of Civil Supplies, Bengal, of and above the rank of Sugar-zone Sub-Inspector, to exercise the powers mentioned in the said paragraph.

*Notification No. 112D.C.S., dated the 6th January, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 7th January, 1943).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Sugar Licensing Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "sugar" means sugar as defined in sub-paragraph (3) of paragraph 8 of the Sugar Control Order, 1942, and includes such other sugar as the Provincial Government may, by notification in the *Calcutta Gazette*, specify;

(b) "form" means a form as set forth in the Schedule to this Order;

(c) "purchase in wholesale quantities" means purchase in quantities of twenty-five bags or more of sugar weighing 2 maunds 30 seers each in one or more transactions within a calendar week and includes purchase by any person on behalf of another as an agent;

(d) "sale in wholesale quantities" means sale in quantities of twenty-five bags or more of sugar weighing 2 maunds 30 seers each in one or more transactions within a calendar week and includes sale by any person on behalf of another as an agent;

(e) "wholesale dealer" means a dealer, stockist or selling agent selected for the purchase or sale of sugar in wholesale quantities by the Provincial Government and to whom a license has been issued in form A annexed to this Order;

<sup>1</sup>(f) "storage of sale in wholesale quantities" means storage in quantities of twenty-five bags or more of sugar weighing 2 maunds 30 seers each for purposes of sale and includes storage by any person on behalf of another as an agent.

3. No person shall engage in any undertaking which involves the purchase, sale, or storage for sale, in wholesale quantities of sugar except under and in accordance with a license issued in that behalf by the Provincial Government, or by an officer authorised in this behalf by it.

<sup>1</sup>Added by notification No. 3903D.C.S., dated the 26th March, 1943.

4. Licenses issued under this Order shall be in form A annexed to this Order and shall specify the place or places at which and the conditions subject to which the licensee may carry on the undertaking to which the license relates.

5. (1) No person being the holder of a license issued, or deemed to be issued, under this Order shall contravene any of the conditions mentioned in form A; and if any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled by an order in writing of the Provincial Government or of an officer authorised in this behalf by the Provincial Government.

(2) Notwithstanding anything contained in sub-paragraph (1) the Provincial Government or an officer authorised in this behalf by it, in special circumstances, without giving any previous notice, or without assigning any reason, suspend or cancel by a written order a license issued, or deemed to be issued, under this Order.

<sup>1</sup>[6. Any officer authorised by the <sup>2</sup>[Director-General, Food, the Director of Supply, the Deputy Director of Supply in charge of Salt, a District Magistrate, a District Controller of Civil Supplies, a Subdivisional Magistrate] <sup>3</sup>[a District Enforcement Officer, a Superintendent of Police or a Deputy Superintendent of Police] may enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of sugar is taking place contrary to the provisions of this Order.]

### Schedule, Part I.

#### FORMS.

##### *Form of license; Form A.*

(See paragraph 4.)

#### **The Bengal Sugar Licensing Order, 1943.**

*License for purchase, sale or storage for sale in wholesale quantities of sugar.*

Subject to the Bengal Sugar Licensing Order, 1943, and to the terms and conditions of this license.....

..... is/are hereby authorised to purchase, sell, or store for sale in wholesale quantities of sugar.

2. The licensee shall carry on the aforesaid business at the following place(s).....

3. The licensee shall maintain a set of registers in the forms given in Part II of the Schedule attached to the Bengal Sugar Licensing Order, 1943, showing correctly—

(a) amounts of sugar received under this Order, showing the place(s) of origin;

(b) quantities delivered or otherwise removed, showing the places of destination, including a full and clear account of persons and their addresses to whom the sugar has been supplied.

<sup>1</sup>Substituted by notification No. 5856D. C. S., dated the 9th July, 1943.

<sup>2</sup>Substituted by notification No. 9551 D.C.S., dated the 14th July, 1945.

<sup>3</sup>Substituted by notification No. 382D.C.S., dated the 9th January, 1946.

4. The licensee shall submit to the authority granting the license, so as to reach him or his office, on the third and the seventeenth day of each month a true return in the form shown in Part II of the Schedule of his transactions for the first and second half of a calendar month, respectively.

5. The licensee shall give all facilities at all reasonable times to any officer authorised in this behalf by the Provincial Government for the inspection of his stocks and accounts of the sugar, received under this Order at any shop, godown, or other place used by him for the storage or sale of sugar.

6. Any officer authorised by the Director of Civil Supplies or the Additional Director of Civil Supplies or the Deputy Director of Civil Supplies, Bengal, may enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of sugar is taking place contrary to the provisions of this Order.

7. The licensee shall pay for any sugar received ex-factory at the ex-factory price as controlled under the Sugar Control Order, 1942, and shall not pay any premium of any kind to the factory in respect of such sugar.

.....  
*Signature of the Officer issuing the license.*

*Dated the.....194...*

## Schedule, Part II.

### REGISTERS.

#### *Register I (of receipts).*

Date.	Opening stock.	Amount of sugar received.	No. and date of R./R.	From which mill.	Quality of sugar.	Total quantity sold or otherwise disposed of.	Closing balance.	Remarks.

#### *Register II (of disposal).*

Date.	Stock (including receipts up-to-date).	Deliveries.					Total amount delivered during the day.	Remarks.
		Amounts.	Quality of sugar.	Name of person to whom delivered.	Address.	Whether— (1) a wholesale dealer, (2) a retail shopkeeper, (3) an industrial firm, or (4) private consumer.		



*Form of the Fortnightly Return.*

Return of sugar received and delivered during the fortnight ending on.....

Opening stock.	Amount received during the fortnight.	Qualities of sugar in stock.	Total quantities sold or otherwise disposed of during the fortnight.	Closing balance.	To whom delivered.			Remarks.
					Name of person or firm.	Address.	How many bags to— (1) a wholesale dealer, (2) a retail shopkeeper, (3) an industrial firm, or (4) a private consumer.	

*Notification No. 5855 D.C.S., dated the 9th July, 1943 (published in the "Calcutta Gazette" of the 15th July, 1943, Pt. I, p. 1174).*

In exercise of the power conferred by paragraph 3 of the Bengal Sugar Licensing Order, 1943, the Governor is pleased to authorise the officers specified in column 2 of the table below to issue licenses under the said Order in respect of areas respectively specified opposite each such officer in column 1 of that table:—

**Areas.****Officers.**

The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

The Regional Controller of Civil Supplies, Joint Regional Controller of Civil Supplies, Deputy Regional Controller of Civil Supplies and each Assistant Regional Controller of Civil Supplies, Calcutta and Industrial Area.

Each district of Bengal excluding in the case of the district of the 24-Parganas, the suburbs of Calcutta.

The District Supply Officer of the district.

Each subdivision of Bengal ...

The Subdivisional Supply Officer of the subdivision.

II. Orders No. 3040 D.C.S., dated the 10th February, 1943, and No. 5248 D.C.S., dated the 24th May, 1943, are hereby cancelled.

*Notification No. 5854 D.C.S., dated the 9th July, 1943 (published in the "Calcutta Gazette" of the 15th July, 1943, Pt. I, p. 1174).*

In exercise of the powers conferred by paragraph 5 of the Bengal Sugar Licensing Order, 1943, the Governor is pleased to authorise the officers specified in column 2 of the table below to cancel under sub-paragraph (1) of the said paragraph and to suspend or cancel under sub-paragraph

of the said paragraph licenses issued under the said Order in respect of the areas respectively specified opposite each such officer in column 1 of that table:—

### Areas.

### Officers.

The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

The Regional Controller of Civil Supplies, Joint Regional Controller of Civil Supplies, the Deputy Regional Controller of Civil Supplies and each Assistant Regional Controller of Civil Supplies, Calcutta and Industrial Area.

Each district of Bengal excluding in the case of the district of the 24-Parganas, the suburbs of Calcutta.

The District Supply Officer of the district.

Each subdivision of Bengal ... The Subdivisional Supply Officer of the subdivision.

II. The second paragraph of notification No. 5248D.C.S., dated the 24th May, 1943, issued under clause (2) of paragraph 5 of the Bengal Sugar Licensing Order, 1943, hereby cancelled.

*Notification No. 9549D.C.S., dated the 14th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1246).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 5 of the Bengal Sugar Licensing Order, 1943, the Governor is pleased to authorise the following officers to exercise the power of cancellation of licenses referred to in the said sub-paragraph within their respective jurisdictions, namely:—

- (1) The Director-General, Food.
- (2) The Director of Supply.
- (3) The Deputy Director of Supply in charge of Sugar.
- (4) All District Magistrates.
- (5) All District Controllers of Civil Supplies.
- (6) All Subdivisional Magistrates.
- (7) All Subdivisional Controllers of Civil Supplies.

*Notification No. 9550D.C.S., dated the 14th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1246).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 5 of the Bengal Sugar Licensing Order, 1943, the Governor is pleased to authorise the following officers to exercise the powers referred to in the said sub-paragraph within their respective jurisdictions, namely:—

- (1) The Director-General, Food.
- (2) The Director of Supply.
- (3) The Deputy Director of Supply in charge of Sugar.
- (4) All District Magistrates.

*Notification No. 274(a) D.C.S., dated the 1st February, 1943.*

Under clause 6 of Form A (Form of License) annexed to the Bengal Sugar Licensing Order, 1943, I hereby direct that a licensee shall not sell 25 bags or more of sugar to any consuming firm or individual consumer in any one month except under a permit issued by the Controller of Civil Supplies, Calcutta Area.

*Notification No. 10232 D.C.S., dated the 1st August, 1945 (published in the "Calcutta Gazette" of the 9th August, 1945, Pt. I, p. 1312).*

In exercise of the power conferred by paragraph 6 of the Bengal Sugar Licensing Order, 1943, I hereby authorise each officer of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector in the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, to enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of sugar is taking place contrary to the provisions of the said Order.

*Notification No. 1982(a) D. C. S., dated the 24th April, 1943 (published in the "Calcutta Gazette" of the 29th April, 1943, Pt. I, p. 929).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Calcutta Sugar Sales Regulating Order, 1943.

(2) It shall apply to the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

2. In this Order—

(a) "Sugar" has the same meaning as defined in clause (a) of paragraph 2 of the Bengal Sugar Licensing Order, 1943;

(b) "wholesale dealer" has the same meaning as defined in clause (e) of paragraph 2 of the Bengal Sugar Licensing Order, 1943;

(c) "licensee" means a retail dealer or such other person as may be licensed under paragraph 3 of this Order.

3. (1) The Regional Controller of Civil Supplies, Calcutta, and Industrial Area, the Joint Regional Controller of Civil Supplies, Calcutta and Industrial Area, or any other Gazetted Officer authorised in writing in this behalf by the Regional Controller of Civil Supplies, Calcutta and Industrial Area, may authorise a retail dealer or a consumer to purchase sugar from a wholesale dealer by granting him a licence in the form set out in the schedule to this Order.

(2) The Regional Controller of Civil Supplies, Calcutta and Industrial Area, the Joint Regional Controller of Civil Supplies, Calcutta and Industrial Area, or any other Gazetted Officer authorised by the Regional Controller under sub-paragraph (1) above, may also in such licence prescribe—

(i) the maximum quantity of sugar which a licensee may purchase during a stated period of time or at stated intervals of time,

- (ii) whether the licensee may resell the sugar so purchased, and  
 (iii) if so, the place where and the maximum quantities in any single transaction in which such sugar may be sold.

### Schedule.

*Licence under paragraph 3 of the Calcutta Sugar Sales Regulating Order, 1943.*

Subject to the provisions of the Calcutta Sugar Sales Regulating Order, 1943, and to the terms and conditions of this licence.....

..... (name) of  
 ..... (address) is  
 hereby authorised to purchase from a wholesale dealer.....  
 (quantity) of sugar during each calendar month/week/at intervals of.....  
 days commencing from the date of this licence.

2. The licensee shall not resell the sugar so purchased/may resell the sugar subject to the conditions set down below:—

(a) The sugar shall be sold at.....  
 .....(place of business).

(b) The licensee shall not sell more than.....(quantity)  
 of sugar in any single transaction.

*Controller of Civil Supplies,  
 Calcutta Area.*

### Reverse.

1

Date of sale.	Quantity of sugar sold.	Name and address of wholesale dealer.	Signature of such wholesale dealer.
---------------	-------------------------	---------------------------------------	-------------------------------------

*Notification No. 5324 D.C.S., dated the 26th May, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 28th May, 1943, p. 89).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct—

- (1) that no consignment of sugar candy arriving in a railway or steamer station in Calcutta or in the Howrah Municipality shall be delivered to the consignee or to any other person except under the authority of a permit in writing issued by the Regional Controller of Civil Supplies, Calcutta and Industrial Area, or by any other officer authorised by him in writing in this behalf;
- (2) that no person receiving delivery of such a consignment of sugar candy under the authority of a permit issued under paragraph (1) of this order, shall sell, transfer or otherwise dispose of the whole or any part of such consignment, except under and in accordance with the directions given by the Regional Controller of Civil Supplies, Calcutta and Industrial Area, or any other officer authorised by him in this behalf.

*Explanation.*—In this order "Calcutta", means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

Notification No. 1999C. S., dated the 31st December, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 31st December, 1942).

Whereas it appears to the Provincial Government that it is necessary and expedient for maintaining supplies essential to the life of the community to prohibit certain transactions in *gur*;

Now, therefore, in exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

1. (1) This Order may be called the Gur (Futures and Options Prohibition) Order, 1942.

(2) It extends to the whole of Bengal.

2. In this Order unless there is anything repugnant in the subject or context,—

(a) "futures in *gur*" means any agreement relating to the purchase or sale of *gur* made on a forward basis and providing for delivery at some future date and payment of margin on such date or dates as may be expressly or impliedly agreed upon by the parties;

(b) "*gur*" means any form of crude sugar commonly known as *gur* but does not include sugar as defined in clause (b) of section 2 of the Sugar (Excise Duty) Act, 1934;

(c) "margin" means the difference between the price specified in an agreement relating to the purchase or sale of *gur* and the prevailing market price for the same quality and quantity of *gur* on a particular day;

(d) "option in *gur*" means an agreement for the purchase or sale of a right to buy, or a right to sell; or a right to buy and sell, *gur* in future, and includes a *teji*, a *mandi* and a *teji-mandi* transaction in *gur*.

3. After the commencement of this Order no person shall—

(a) enter into any "futures in *gur*" or pay or receive, or agree to pay or receive, any margin relating to any such futures;

(b) enter into any options in *gur*.

4. All futures and options in *gur* entered into before the commencement of this Order and outstanding for settlement or remaining to be performed, as the case may be, whether wholly or in part, shall be void within the meaning of clause (g) of section 2 of the Indian Contract Act, 1872.

5. No person being the owner or occupier of any premises shall use or knowingly permit such premises to be used,—

(a) for dealing in futures or options in *gur*, or the payment or receipt of margins, in contravention of the provisions of paragraph 3, or

(b) for the settlement of any futures or the performance of any options in *gur* in contravention of the provisions of paragraph 4.

6. The Provincial Government may, by a notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Order.

7. An Inspector appointed under paragraph 6 may, within the local limits for which he is appointed—

- (a) enter, inspect or search any premises used or believed to be used for dealing in futures or options in *gur*, or the payment or receipt of margins, with such assistants, if any, as he thinks fit;
- (b) require the owner, occupier or any other person in charge of the premises to produce any books, accounts or other documents relating to such transactions;
- (c) take or cause to be taken extracts from or copies of any documents relating to such transactions which are produced before him or otherwise found in the premises;
- (d) seize and remove all stock of *gur* taken in settlement of any transaction made in contravention of paragraphs 3 and 4 of this Order, and all such stock of *gur* shall be forfeited to Government.

*Notification No. 939A/D.C.S., dated the 2nd March, 1943 (published in the "Calcutta Gazette" of the 11th March, 1943, Pt. I, p. 499).*

In exercise of the power conferred by paragraph 6 of the Gur (Futures and Options Prohibition) Order, 1942, the Governor is pleased to appoint the Inspectors of Civil Supplies, under the Controller of Civil Supplies, Calcutta Area, to be Inspectors for the purposes of the said order for the town of Calcutta as defined in the Calcutta Police Act, 1866 (Bengal Act IV of 1866), together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866),

*Notification No. 7209C.S., dated the 25th September, 1942 (published in the "Calcutta Gazette" of the 8th October, 1942, Pt. I, p. 2359).*

### Order.

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders issued regarding the import and delivery of sugar in Calcutta and in the Howrah Municipality the Governor is pleased to direct—

- (a) that no consignment of sugar arriving at any of the railway and steamer stations in Calcutta or Howrah Municipality shall be delivered to the consignee or to any other person except under a permit in writing issued by or under the authority of the Controller of Civil Supplies, Calcutta, or by any other officer authorised by him in writing;
- (b) that the Controller of Civil Supplies, Calcutta, may prescribe definite percentages of such sugar not exceeding fifty per cent. which the said consignees shall be bound to dispose of in such a way and under such terms and conditions as the said Controller may lay down in writing.

*Explanation.*—In this order "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

*Notification No. 9032C.S., dated the 28th December, 1942 (published in the "Calcutta Gazette" of the 31st December, 1942, Pt. I, p. 2890).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct (1) that no sugar shall be moved by any form of conveyance by any person in Calcutta and the industrial area to any place outside the said areas, except under and in accordance with, the conditions of a permit in writing issued by or under the authority of the Controller of Civil Supplies, Calcutta (1/C, Hare Street), (2) that sugar carried in contravention of the above order shall be liable to seizure by such persons and in such manner as the Controller of Civil Supplies, Calcutta, may determine and the sugar so seized shall be disposed of in such manner as the said Controller of Civil Supplies, Calcutta, considers expedient, and that the amount of compensation payable for sugar so seized and disposed of shall be determined by the said Controller of Civil Supplies, Calcutta, entirely in his discretion.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and
- (2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivisions of the district of Howrah and Serampore and Sadar subdivisions of the district of Hooghly.

*Notification No. 814 D.C.S., dated the 23rd January, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 25th January, 1943, Pt. I, p. 9).*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor of Bengal is pleased to order that no person shall export or carry or cause to be exported or carried by rail, road or river, any quantity of sugarcane from any district in Bengal to any place outside the province of Bengal except with the written permission of the Director of Civil Supplies, Bengal, or any other officer empowered in this behalf by the Governor of Bengal, with effect from the date of publication of this order in the *Calcutta Gazette*.

*Notification No. 3341D.C.S., dated the 26th February, 1943 (published in the "Calcutta Gazette" of the 4th March, 1943, Pt. I, p. 454).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of this department order No. 814D.C.S., dated the 23rd January 1943, the Governor is pleased to direct that no person shall move or cause to be moved by any form of conveyance any sugarcane from any place inside Bengal to any place outside Bengal except under, and in accordance with, the conditions of a permit in writing issued by the Director of Civil Supplies, Bengal, or by any officer empowered in this behalf by the Provincial Government.

*Notification No. 3399 D.C.S.-IV-E-13, dated the 2nd March, 1943 (published in the "Calcutta Gazette" of the 11th March, 1943, Pt. I, p. 498).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules which has been directed to be exercised by

me by order under sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), I hereby direct that the wholesale bazar price per maund in Calcutta of sugar fixed in this department order No. 3025D.C.S., dated the 8th February 1943, shall apply to all sales by wholesale dealers of whatever amount.

*Notification No. 1955A.-D.C.S., dated the 24th April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 24th April, 1943, p. 72).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to prohibit the manufacture of sugarcandy in Bengal except under and in accordance with the conditions of a permit in writing issued by a Deputy Director of Civil Supplies, Bengal, or by an officer empowered in this behalf by the Provincial Government.

*Notification No. 2391(b) D.C.S., dated the 27th May, 1943 (published in the "Calcutta Gazette" of the 3rd June, 1943, Pt. I, p. 1054).*

In pursuance of this department notification No. 1955(a)D.C.S., dated the 24th April, 1943, the Governor is pleased to authorise the officers specified in column 1 below to issue permits for the manufacture of sugarcandy and to revoke, suspend or cancel such permits in respect of areas specified against each such officer in column 2 below:—

1 Officers.	2 Areas.
The Regional Controller of Civil Supplies, Calcutta and Industrial Area, or any other officer authorised by him in this behalf.	The town of Calcutta as defined by section 3 of the Calcutta Police Act, 1866, together with the Suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.
The District Supply Officer of a district, or the Sadar Subdivisional Supply Officer.	The Sadar subdivision of the district concerned.
The Subdivisional Supply Officer of a subdivision.	The subdivision concerned.

*Notification No. 1956A.-D.C.S., dated the 24th April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 24th April, 1943, p. 72).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, which has been directed to be exercised by me by notification No. 3837Def., dated the 9th April 1943, I hereby fix the maximum price of sugarcandy in Bengal at eight annas per seer.

*Notification No. 14633 D.C.S., dated the 10th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2100).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in modification of the Government of Bengal, Department of Civil Supplies, notification No. 1956(A)-D.C.S., dated the 24th April 1943, the Governor is pleased to direct that the maximum wholesale and retail prices of sugarcandy in all areas of Bengal except Calcutta shall be as follows:—

Wholesale price—Rs. 23-12 per maund.

Retail price—Annas 10 per seer.



**Explanation.—In this Order—**

- (a) "Calcutta" means the town of Calcutta as defined in Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under the Calcutta Suburban Police Act, 1866;
- (b) "Retail price" means the price of sugarcandy when sold in quantities less than half a maund in weight in one transaction; and
- (c) "Wholesale price" means the price of sugarcandy when sold in quantities not less than half a maund in weight in one transaction.

*Notification No. 3114 Ind., dated the 26th November, 1943 (published in the "Calcutta Gazette" of the 3rd December, 1943, Pt. I, p. 1739).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of the India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

No producer of *gur* shall use any machinery either driven by power other than hand power or driven by draught-animals for the manufacture of *gur* except under and in accordance with a licence in the form appended to this Order granted by such officer as may be appointed in this behalf by the Provincial Government and the Provincial Government may appoint different officers for different areas.

2. In this Order "Gur" and "Producer" have the same meanings as in the Gur Control Order, 1943, issued by the Central Government under notification No. 11-Sc.(6)43-I., dated the 24th July, 1943.

3. The Provincial Government may exempt by order in writing such machinery or class or classes of machinery as may be specified in such order from the operation of this Order.

*Form of licence for gur-producing machinery.*

(Free of all fee.)

1. Name of producer.....
2. Address of the producer.....
3. Address at which the machine is kept.....
4. Description of the machine.....

The licence is granted subject to the condition that the licensee shall comply with any direction given by the Licensing Officer.

Date.....

*Licensing Officer.*

*Notification No. 9557 O.C., dated the 31st October, 1944 (published in the "Calcutta Gazette" of the 2nd November, 1944, Pt. I, p. 1324).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that in supersession of all previous orders on the subject, the prices of sugar in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall be as follows:—

[For price list see *Calcutta Gazette* of the 2nd November, 1944, p. 1334.]

*Notification No. 2064D.C.S., dated the 27th February, 1945 (published in the "Calcutta Gazette" of the 8th March, 1945, Pt. I, p. 383).*

In exercise of the power conferred by clause (b) of sub-rule (2) of the Defence of India Rules, the Governor is pleased to direct that the maximum wholesale and retail prices of sugarcandy in Calcutta shall be as follows:—

Wholesale price—Rs. 22-8 per maund.

Retail price—Rs. 0-9-6 per seer.

*Explanation.*—In this Order—

- (1) "Wholesale price" means the price of sugarcandy when sold in quantities not less than half a maund in weight in one transaction and "Retail price" means the price of sugarcandy when sold in quantities less than half a maund in weight in one transaction;
- (2) "Calcutta" means the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 9219D.C.S., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 31st January, 1946, Pt. I, p. 265).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 10549D.C.S., dated the 3rd November 1944, the Governor is pleased to direct that in the Calcutta Industrial Area and in the Calcutta Industrial (Extended) Area the maximum retail price of the quantity of sugar mentioned in column 1 of the table below shall, with effect from the 21st January 1946, be as specified in the corresponding entry in column 2 of that table:—

Quality of sugar.	Maximum retail price.
1	2
For one-fourth seer	As. 2-3
For half seer	As. 4-3
For three-fourths seer	As. 6-6
For one seer	As. 8-6

*Explanation.*—In this Order, "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" shall have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

### (ix) Hotels and Establishments.

*Notification No. 780J., dated the 20th February, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 20th February, 1942).*

In exercise of the powers conferred by clause (bb), sub-rule (2) of rule 81 of the Defence of India Rules the Governor is pleased to make the following Order:—

1. (1) This Order may be called "The Bengal Hotels and Lodging Houses Control Order, 1942."

(2) It extends to the whole of Bengal.

(3) It shall come into force in such areas on such dates as the Provincial Government may, by \*notification in the official gazette, direct.

2. In this Order, unless there is anything repugnant in the subject or context—

- (1) "Controller" means an officer appointed as such by the Provincial Government for an area to which this Order applies;
- (2) "manager of an hotel" includes any person in charge of the management of an hotel;
- (3) "owner of a lodging house" includes the person who is receiving or is entitled to receive whether on his own account or on behalf of himself and others or as an agent or trustee, payment from a lodger on account of board,<sup>\*</sup> lodging or any other service.

3. (1) When on a written complaint or otherwise, the Controller has reason to believe that the charges made for board, lodging or any other service provided in any hotel or lodging house within the local limits to which this Order applies are excessive, he shall hold a summary enquiry and record a finding.

(2) For the purposes of an enquiry under sub-paragraph (1), the Controller may require the manager of an hotel or the owner of a lodging house to produce before the Controller any book of account, document, or other information relating to the hotel or lodging house concerned which he may consider necessary, and may <sup>1</sup>[himself enter or] authorise any person subordinate to him to enter upon any premises to which the enquiry relates.

4. If, on a consideration of all the circumstances of the case, including any amount paid or to be paid by any lodger in the hotel or lodging house by way of premium or any other like sum in addition to the charges, the Controller finds that the charges are excessive, he shall determine the fair rate to be charged for board, lodging and any other service provided in the hotel or lodging house.

5. In fixing the fair rate under paragraph 4, the Controller shall have due regard to the prevailing rates of charges for the same or similar accommodation, board and service during the twelve months prior to the 1st December, 1941, and to any general increase in the cost of living after that date.

6. When the Controller has determined the fair rate of charges—

- (a) the manager of the hotel, or owner of the lodging house, as the case may be, shall not charge any amount in excess of such fair rate;
- (b) any agreement for the payment of any charges in excess of such fair rate shall be null and void in respect of such excess and shall be construed as if it was an agreement for payment of the said fair rate.

<sup>1</sup>6A. (1) An occupant of a room or rooms in an hotel or a lodging house shall not be evicted therefrom, whether in execution of a decree or otherwise, except in accordance with the provisions of this paragraph.

(2) The manager of an hotel or the owner of a lodging house wishing to evict the occupant of a room or rooms in such hotel or lodging house shall apply to the Controller for a direction in that behalf and if on receipt

\*This order shall apply to Calcutta from the 26th June, 1943—vide notification No. 8750L.R., dated the 26th June, 1943.

<sup>1</sup>Inserted by notification No. 8751L.R., dated the 26th June, 1943.

of such application the Controller is, after giving such occupant a reasonable opportunity of showing cause against the application, satisfied—

- (a) that such occupant has not paid the charges due by him to the full extent allowable under this Order within the time fixed in his contract with the manager of the hotel or the owner of the lodging house, as the case may be, or in the absence of any such contract by the seventh day of the month next following that for which the charges are payable, or
- (b) that such occupant has been guilty of conduct which is a nuisance or an annoyance to the other occupants of such hotel or lodging house, or
- (c) that such occupant has continuously for a period exceeding two months been absent from such hotel or lodging house or left such room or rooms unoccupied,

the Controller shall make an order directing such occupant to vacate such room or rooms and to put the manager of the hotel or the owner of the lodging house, as the case may be, in possession thereof, and if the Controller is not so satisfied, he shall make an order rejecting the application:

Provided that where the charges due by an occupant of a room or rooms in an hotel or a lodging house have accrued due before the second day of March, 1944, no application by the manager of an hotel or the owner of a lodging house, as the case may be, for evicting such occupant shall lie under this sub-paragraph on the ground of failure to pay the charges so due if such occupant pays the said charges to the full extent allowable under this Order within two months from the said date.

(3) Every order under sub-paragraph (2) directing the occupant of a room or rooms in an hotel or a lodging house to vacate such room or rooms and to put the manager of such hotel or the owner of such lodging house in possession thereof shall, subject to the provisions of paragraph 7, be final and shall be executed by the Court having jurisdiction to entertain a suit for ejectment in respect of such room or rooms as if it were a decree of that Court.

<sup>1</sup>6B. When the manager of an hotel or the owner of a lodging house refuses to accept the charges referred to in clause (a) of sub-paragraph (2) of paragraph 6A or the charges referred to in the proviso to the said sub-paragraph offered by the occupant of a room or rooms in such hotel or lodging house, such occupant may—

- (a) in the case of refusal to accept the charges referred to in clause (a) of the said sub-paragraph, deposit such charges with the Controller within seven days of their becoming due, and
- (b) in the case of refusal to accept the charges referred to in the proviso to the said sub-paragraph, deposit such charges with the Controller within seven days of the expiry of the period of two months mentioned in the said proviso,

and on receiving any such deposit the Controller shall cause a notice of the receipt of the deposit to be served on the manager of such hotel or the owner of such lodging house, as the case may be, and the amount of the deposit may be withdrawn by such manager or owner on application made by him to the Controller in that behalf.

<sup>1</sup>6C. The fact that the management of an hotel or the interest of the owner of a lodging house has been transferred by assignment, sale or sub-letting shall not of itself be a ground for eviction of the occupant of a room or rooms in such hotel or lodging house so long as the transferee maintains the hotel or lodging house as such.

<sup>1</sup>Inserted by notification No. 4321 L.R., dated the 26th February, 1944.

**16D. (1)** Every proprietor or manager of an hotel or owner of a lodging house who intends to transfer or terminate a lease in respect of the premises in which such hotel or lodging house is situated shall give at least one month's notice of such intention to the Controller as well as to every occupant of a room or rooms in such hotel or lodging house, as the case may be.

**(2)** At least one month before the expiration of any lease in respect of any premises in which an hotel or a lodging house is situated the manager of such hotel or the owner of such lodging house shall intimate to the Controller and to every occupant of a room or rooms in such hotel or lodging house the date when such lease is due to expire.

**(3)** It shall be competent for the Controller in every case a notice has been received by him under sub-paragraph (1) or an intimation has been received by him under sub-paragraph (2) to authorise any occupant of a room or rooms in such hotel or lodging house to take charge of such hotel or lodging house and to hold the premises in which the said hotel or lodging house is situated as a lessee under the landlord thereof on the same terms and conditions on which the proprietor or manager of the hotel or the owner of the lodging house held the said premises under the said landlord or on such terms and conditions as may be agreed upon between such landlord and the occupants of such hotel or lodging house and any occupant so authorised shall be entitled to hold the premises on such terms and conditions as a lessee under the landlord.

**(4)** Any dispute between the landlord and such occupants in regard to the terms and conditions under which such premises shall be held shall be decided by the Controller and the Controller shall before deciding such dispute give to the parties concerned an opportunity of being heard and every such decision shall, subject to the provisions of paragraph 7, be final.

**16DD. (1)** The Controller may, on the application of any person who is or has been an occupant of a room or rooms in an hotel or a lodging house, order the refund of any sum, in excess of the fair rate of charges determined under paragraph 4, paid by such person whether before or after the commencement of this Order, in respect of occupation of such room or rooms after the commencement of this Order, or at the option of such person order the adjustment of any amount so paid in any other manner.

**(2)** An order of refund passed by the Controller under sub-paragraph (1) shall, subject to the provisions of paragraph 7, be final and shall be executed by the Court having jurisdiction to entertain a suit for the recovery of charges due for the occupation of the room or rooms in the hotel or lodging house in respect of which the sum ordered to be refunded was paid, as if such order of refund were a decree of that Court.

**6DDD. (1)** The Controller shall on application made to him in that behalf by any occupant of any room or rooms in an hotel or lodging house, cause a notice to be served on the manager of the hotel or the owner of the lodging house, as the case may be, requiring him to make any repairs which such manager or owner is bound to make to such room or rooms or to take any measures for the due maintenance of any essential supply or service, such as the maintenance of supply of water or electricity, the maintenance of drainage service and the maintenance of any lift, which such manager or owner is bound to maintain in the hotel or lodging house.

**(2)** If after receipt of such notice the manager of the hotel or the owner of the lodging house fails or neglects to make within reasonable time such repairs or to take within reasonable time such measures, as the case may be, the occupant of such room or rooms may submit to the Controller an

<sup>1</sup>Inserted by notification No. 4321L.R., dated the 28th February, 1944.

<sup>2</sup>Inserted by notification No. 307L.R., dated the 11th January, 1946.

estimate of the cost of such repairs or measures and may apply to him for permission to make such repairs or to take such measures himself and thereupon the Controller may, after considering such estimate of cost and making such inquiries as he may consider necessary, by an order in writing, permit such occupant to make such repairs or to take such measures, as the case may be, at a cost not exceeding such amount as may be specified in the Order and it shall thereafter be lawful for such occupant to make such repairs or to take such measures himself and to deduct the cost thereof which shall in no case exceed the amount so specified from the charges payable by him in respect of such room or rooms or otherwise recover it from such manager or owner:

Provided that if the necessity for making any repairs or for taking any measures referred to in sub-paragraph (1) is so urgent that any delay involved in the foregoing procedure is likely to subject the occupant of such room or rooms to personal loss, damage or serious inconvenience, such occupant may himself cause the notice referred to in the said sub-paragraph to be served on the manager of the hotel or the owner of the lodging house, as the case may be, requiring him to make such repairs or to take such measures within forty-eight hours of the service of such notice and shall in every such case submit, at the same time, a copy of such notice to the Controller together with an estimate of the cost of such repairs or measures to enable the Controller to make such inquiries as he may consider necessary about the necessity of such repairs or measures and the correctness of the estimate so submitted, and if after the service of such notice such manager or owner fails to make such repairs or to take such measures within the time mentioned in the notice, such occupant may himself make such repairs or take such measures, as the case may be, and after completion of such repairs or measures submit to the Controller a statement of the costs thereof and thereafter the Controller, after considering such statement and making such further inquiries as he may consider necessary, may, by an order in writing, determine the amount of the costs which such occupant is entitled to recover from such manager or owner, and such occupant may thereupon deduct the amount so determined from the charges payable by him in respect of such room or rooms or otherwise recover it from such manager or owner.

<sup>1</sup>6E. For the purposes of an inquiry under this Order, the Controller may,—

- (a) require the proprietor or manager of an hotel or the owner of a lodging house or the landlord of any premises in which an hotel or a lodging house is situated to produce any book of account, document or other information relating to the hotel, lodging house or such premises;
- (b) enter and inspect an hotel or a lodging house; and
- (c) authorise any officer subordinate to him to enter and inspect an hotel or a lodging house.

7. <sup>2</sup>(1) Any person aggrieved by an order of the Controller may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing—

- (a) in respect of hotels or lodging houses situated within the presidency-town of Calcutta, to the Chief Judge of the Court of Small Causes of Calcutta or to such other person or persons as may be appointed by the Provincial Government to hear such appeals either concurrently with, or to the exclusion of, the said Chief Judge; and

<sup>1</sup>Inserted by notification No. 4321 L.R., dated the 28th February, 1944.

<sup>2</sup>Substituted by notification No. 282L.R., dated the 8th January, 1944.

(b) in respect of hotels or lodging houses elsewhere, to the District Judge of the district or to such other person or persons as may be appointed by the Provincial Government to hear such appeals either concurrently with, or to the exclusion of, the said District Judge;

<sup>3</sup>[Provided that no appeal shall lie under this sub-paragraph from any order made by the Controller under the proviso to paragraph 6DDD.]

(1A) Where the Provincial Government appoints a person or persons to hear appeals to the exclusion of the Chief Judge of the Court of Small Causes of Calcutta or of the District Judge of the 24-Parganas, the said Chief Judge or the said District Judge, as the case may be, shall transfer all appeals pending before him to the person or among the persons so appointed, and the person or persons to whom the appeals are thus transferred shall decide the appeal from the point at which it was transferred.

(2) The Chief Judge or the District Judge <sup>3</sup>[or the person or persons appointed under sub-paragraph (1)], as the case may be, shall thereupon send for the record of the case from the Controller, and after perusing such record and after making such further enquiry as he thinks fit, shall decide the appeal.

(3) The decision of the Chief Judge or the District Judge <sup>3</sup>[or the person or persons appointed under sub-paragraph (1)], as the case may be, and subject only to such decision, and order of the Controller shall be final.

*Notification No. 1393J., dated the 27th March, 1942 (published in the " Calcutta Gazette " of the 2nd April, 1942, Pt. I, p. 952).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Hotels and Lodging Houses Control Order, 1942, published under notification No. 780J., dated the 20th February, 1942, the Governor is pleased to direct that the said Order shall come into force in the district of Darjeeling with effect from the date of publication of this notification in the *Calcutta Gazette*.

2. In exercise of the power conferred by clause (1) of paragraph 2 of the said Order, the Governor is pleased to appoint the officers mentioned in column 1 of the table below as Controllers under the said Order for the areas mentioned in the corresponding entries in column 2 of that table:—

Controller. 1	Areas. 2
Deputy Commissioner, Darjeeling	Sadar subdivision of the Darjeeling district.
Subdivisional Magistrate, Kalimpong.	Kalimpong subdivision.
Subdivisional Magistrate, Kurseong	Kurseong subdivision.
Subdivisional Magistrate, Siliguri	Siliguri subdivision.

*Notification No. 5004D.C.S., dated the 11th May, 1943 (published in the " Calcutta Gazette " of the 13th May, 1943, Pt. I, p. 1001).*

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Residential and Catering Establishments, Food and Fuel Inquiries Order, 1943.

<sup>3</sup>Added by notification No. 307L.R., dated the 11th January, 1946.

(2) It shall apply in the first instance to the Calcutta Region as defined in the Schedule to this Order.

(3) The Provincial Government may, by notification in the *Official Gazette*, direct that this Order shall come into operation in such other area or areas on such date or dates as may be specified in the notification.

2. In this Order—

- (a) "Adult" means a person above the age of twelve years;
- (b) "Authorised Officer" means any person authorised by the Provincial Government to exercise the functions of an Authorised Officer under paragraphs 4 and 5;
- (c) "Catering Establishment" means an establishment which provides cooked food whether for a price or not to persons not resident in the premises of the establishment and includes restaurants, eating houses, canteens and establishments for charitable distribution of cooked food;
- (d) "Child" means a person who is not under the age of two years and is not above the age of twelve years;
- (e) "Infant" means a person under the age of two years;
- (f) "Residential establishment" means an establishment which provides residential accommodation and cooked food to boarders and includes boarding schools, boarding houses, residential hotels, hostels, hospitals, nursing homes, orphanages and asylums;
- (g) The expressions "article of food" and "article of fuel" have the same meanings as in the Bengal Food and Fuel Retail Trades Returns Order, 1943.

3. Within fifteen days from the date on which this Order comes into operation in any area the proprietor of, or the person responsible for the management of, every residential or catering establishment in the area shall submit a return containing full and true information on the following matters relating to the establishment to such authority as may be specified in this behalf by the Provincial Government by a notification in the *Official Gazette*, namely:—

- (a) Name of the establishment,
- (b) Address of the establishment,
- (c) Nature of the establishment,
- (d) Name and address of the proprietor or proprietors of the establishment, if any,
- (e) Name and address of the person responsible for the management of the establishment other than the proprietor or proprietors,
- (f) Date when the establishment was started,
- (g) The number of men and women who are adults, the number of children and the number of infants resident in the premises of the establishment and receiving a supply of cooked food from the establishment on the date of return,
- (h) The average number of men and women who are adults, the average number of children and the average number of infants so resident in the premises of the establishment and receiving such supply of cooked food from the establishment in each of the three months preceding the date of return.
- (i) The average number of persons not resident in the premises of the establishment but receiving a supply of cooked food from the establishment in each of the three months preceding the date of return,



- (j) The nature of cooked food supplied by the establishment,
- (k) The quantity of each article of food and each article of fuel required by the establishment every week,
- (l) The number of occupied rooms on the date of return in the premises of the establishment which are without electric lights,
- (m) The fuel which is commonly used by the establishment for the purpose of preparing or cooking food.

4. An Authorised Officer may for the purposes of this Order by a notice in writing require the proprietor or the person responsible for the management of a residential or a catering establishment to appear before him personally or by an agent duly authorised in writing by such proprietor or such person and capable of furnishing the necessary information relating to the establishment, and on receipt of such notice the proprietor or the person responsible for the management of the establishment shall appear before the Authorised Officer either in person or by such agent at the time and at the place specified in the notice and shall answer to the best of his knowledge and belief such questions as may be put to him by the Authorised Officer in connection with such matters relating to his establishment as have been specified in paragraph 3 and such other matters as may arise therefrom.

5. An Authorised Officer or any person empowered in this behalf by an Order in writing by the Authorised Officer (hereinafter referred to as the "Inspecting Officer") may at any time after sunrise and before sunset enter upon and inspect the premises of any residential or catering establishment for the purpose of ascertaining particulars relating to such establishment with respect to the matters specified in paragraph 3 or for the purpose of verifying the return submitted under paragraph 3 or the statements made under paragraph 4:

Provided that in entering upon and inspecting such premises the Authorised Officer or the Inspecting Officer, as the case may be, shall have due regard to the social and religious customs of the persons resident therein.

### **The Schedule.**

The Calcutta Region is the area comprised of the following:—

- (1) "Calcutta" as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank,
- (2) The municipalities of Naihati, Bhatpara, Garulia, North Barrackpore, South Barrackpore, Titagarh, Khardah, Panihati, Kamarhati, North Dum Dum, South Dum Dum, Dum Dum, Baranagore, Tollygunge, Garden Reach and Budge Budge in the district of the 24-Parganas, the municipalities of Howrah and Bally in the district of Howrah and the municipalities of Bhadreswar, Campdani, Baidyabati, Serampore, Rishra-Konnagar, Kotrung and Uttarpara in the district of Hooghly,
- (3) That part of the South Suburban Municipality in the district of the 24-Parganas which is included within the following boundaries—

*North*—The northern boundary of the South Suburban Municipality,

*East*—Tolly's nalla,

*West*—Becharam Chatterji Road, Maharani Indira Devi Road and Banamali Naskar Road,

*South*—Biren Roy Road,

(4) The areas of the following unions constituted under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), in the district of Howrah, namely—

- (a) Bally union within the police-station Bally,
- (b) Lillooah union within the police-station Bally,
- (c) Santragachi union within the police-station Jagacha,
- (d) Jagacha union within the police-station Jagacha.

(5) The area of the following mauza in the district of Howrah:—

Royal Botanical Gardens, J. L. No. 4, within the police-station Shibpore,

(6) The Barrackpore Cantonment in the district of the 24-Parganas.

*Notification No. 5006 D.C.S., dated the 11th May, 1943 (published in the "Calcutta Gazette" of the 13th May, 1943, Pt. I, p. 1002).*

In exercise of the power conferred by clause (b) of paragraph 2 of the Bengal Residential and Catering Establishments Food and Fuel Inquiries Order, 1943, the Governor is pleased to authorise the following officers to exercise the functions of an Authorised Officer under paragraphs 4 and 5 of the said Order in the Calcutta Region as defined in the Schedule to the said Order, namely:—

- (a) The Regional Controller of Civil Supplies, Calcutta, and the Industrial Area.
- (b) All Food Executive Officers.

*Notification No. 5005 D.C.S., dated the 11th May, 1943 (published in the "Calcutta Gazette" of the 13th May, 1943, Pt. I, p. 1002).*

In exercise of the power conferred by paragraph 3 of the Bengal Residential and Catering Establishments Food and Fuel Inquiries Order, 1943, the Governor is pleased to specify the Food Executive Officer of the area in which a residential or a catering establishment is situated to be the authority to which returns relating to such establishment under the said paragraph shall be submitted in the Calcutta Region as defined in the Schedule to the said Order.

#### (x) House Rent.

*Notification No. 779 J., dated the 20th February, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 20th February, 1942).*

In exercise of the powers conferred by clause (bb) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called "The Bengal House Rent Control Order, 1942".

(2) It extends to the whole of Bengal excluding Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923.

(3) It shall come into force in such areas on such dates as the Provincial Government may, by notification in the *Official Gazette*, direct.

---

<sup>1</sup>Inserted by notification No. 8748 L.R., dated the 25th June, 1943.

2. In this Order, unless there is anything repugnant in the subject or context,—

(1) "Controller" means an Officer appointed as such by the Provincial Government for an area to which this Order applies;

<sup>2</sup>(2) "house" means any building or part of a building or hut let or to be let separately for residential or non-residential purposes and includes—

(a) the garden, grounds and out-houses (if any) appurtenant to such building or part of a building or hut; and

(b) any furniture supplied by the landlord for use in such building or part of a building; but does not include a room or rooms in a hotel, boarding house or lodging house;

<sup>2</sup>(3) "landlord" means any person who is for the time being receiving or entitled to receive rent in respect of any house whether on his own account, or on account, or on behalf, or for the benefit of any other person or as a trustee, guardian or receiver for any other person and includes a tenant who has sublet any house and every person from time to time deriving title under a landlord;

(4) "prescribed date" means the date prescribed by the Provincial Government by notification in the *Official Gazette* for any area to which this Order applies.

<sup>1</sup>(5) "tenant" means any person by whom or on whose account rent is payable for a house, and includes a person continuing in possession after the termination of a tenancy in his favour.

3. No landlord, with effect from the prescribed date, shall be deemed to have been entitled to charge or shall charge a rate of rent which exceeds by more than twenty per cent. the rent that was being paid on that date or, in respect of any house which was not let out on that date, a rate of rent which exceeds by more than twenty per cent. the rent which would in the opinion of the Controller have been paid on that date if the house had been let out:

<sup>1</sup>Provided that nothing in this paragraph shall apply to any periodical increment of rent accrued due under any written agreement entered into before the prescribed date.

4. No landlord, with effect from the prescribed date, shall be deemed to have been entitled to charge or shall charge a salami or premium for letting out a house on rent or for renewing the lease of a house.

5. No refund shall be allowed if any amount in excess of the amount chargeable under paragraph 3 or any amount referred to in paragraph 4 has been paid before the commencement of this Order.

<sup>2</sup>6. (1) The Controller may, on his own motion or on application made to him by any person interested, fix the rent chargeable under paragraph 3 in respect of any house.

<sup>1</sup>Substituted by notification No. 11658L.R., dated the 3rd July, 1944.

<sup>2</sup>Inserted by notification No. 11658L.R., dated the 3rd July, 1944.

<sup>3</sup>Substituted, *ibid.*

(2) No landlord shall charge any rent which exceeds the rent fixed under sub-paragraph (1) and any agreement for the payment of any rent which exceeds the rent fixed under sub-paragraph (1), shall be null and void in respect of such excess.

7. \*\* \* \* \* \*  
8. \*\* \* \* \* \*

9. (1) In the case where some addition, improvement or alteration, not included in necessary repairs or repairs which are usually made to houses in the local area to which this Order applies, has been carried out in any house at the landlord's expense after the prescribed date, an additional increase in rent in respect of such house shall be permissible.

(2) Any increase in rent referred to in sub-paragraph (1) of this paragraph shall not exceed annually ten per cent. on the cost of such addition, improvement or alteration and shall not be chargeable until such addition, improvement or alteration has been completed.

(3) Any dispute between the landlord and the tenant in regard to any increase of rent claimed under this paragraph shall be decided by the Controller.

<sup>2</sup>10. (1) No order or decree for the recovery of possession of any house shall be made so long as the tenant pays rent to the full extent allowable by this Order and performs the conditions of the tenancy:

Provided that nothing in this sub-paragraph shall apply—

- (a) where the tenant has done any act contrary to the provisions of clause (m), clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or
- (b) where the tenant has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, or
- (c) where the house is *bona fide* required by the landlord either for purposes of building or rebuilding, or for his own occupation or for the occupation of any person for whose benefit the house is held, or where the landlord can show any cause which may be deemed satisfactory by the Court.

(2) The fact that the period of the lease has expired, or that the interest of the landlord in the house has been transferred shall not of itself be deemed to be a satisfactory cause within the meaning of the proviso to sub-paragraph (1), provided that the tenant is ready and willing to pay rent to the full extent allowable by this Order.

(3) Where the landlord recovers possession on the ground that the house is *bona fide* required by him for purposes of building or rebuilding or for his own occupation or for the occupation of any person for whose benefit the house is held and the building or the rebuilding of the house is not commenced or the house is not occupied by the landlord or such person within fifteen days of the date of vacation of the house by the original tenant or the house having been so occupied is re-let within six months of the said date to any person other than the original tenant, the Controller may, on the application of the original tenant made within seven months of his vacating the house, direct the landlord to put the original tenant in possession of the house and to pay him such compensation as may be fixed by the Controller.

<sup>1</sup>Omitted, *ibid.*

<sup>2</sup>Substituted, *ibid.*

(4) No tenant shall be entitled to the benefit of this paragraph in respect of any house unless he pays the rent due by him in respect of such house to the full extent allowable by this Order within the time fixed in the contract, with his landlord or in the absence of any such contract, by the fifteenth day of the month next following that for which the rent is payable and, where any rent has accrued due before the sixth day of July, 1944, also unless he has paid within three months of the said date, all arrears of rent due by him in respect of such house to the full extent allowable by this Order.

<sup>1</sup>10A. (1) No suit or proceeding by a landlord against a tenant in possession of a house for eviction of such tenant therefrom in which any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 10 has been taken as a ground for such eviction shall be entertained by any Court, or, where any such suit or proceeding by a landlord is pending in any Court on the sixth day of July, 1944, no decree or order for the recovery of possession of the house in respect of which such suit or proceeding is pending shall be made by such Court on any of the grounds specified in the said clause (c) unless the landlord has been permitted by the Controller by an order in writing under sub-paragraph (3) to institute such suit or proceeding or to prosecute the suit or proceeding so pending, as the case may be, and has produced before such Court proof that such permission has been granted.

(2) If in any suit or proceeding by a landlord against a tenant in possession of a house for eviction of such tenant therefrom, a decree or order for the recovery of possession of such house has been made on any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 10 on or before the sixth day of July, 1944, but the possession of such house has not been recovered from the tenant, the execution of such decree or order shall be stayed until the landlord produces before the Court by which such decree or order may be executed or in which such execution is pending, as the case may be, proof that he has been permitted by the Controller by an order in writing under sub-paragraph (3) to recover possession of such house by the execution of such decree or order.

(3) A landlord wishing to obtain from the Controller—

- (a) any order referred to in sub-paragraph (1) permitting him to institute a suit or proceeding against a tenant in possession of a house for evicting such tenant therefrom or permitting him to prosecute any such suit or proceeding pending in any Court, or
- (b) any order referred to in sub-paragraph (2) permitting him to recover possession of the house in respect of which any decree or order referred to in the said sub-paragraph has been made by the execution of such decree or order,

shall apply in writing to the Controller in that behalf, and if on receipt of such application the Controller after giving the tenant in possession of the house an opportunity of showing cause against the application and considering all the circumstances of the case is satisfied—

- (i) in the case referred to in clause (a) that there is sufficient cause to hold that any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 10 which has been taken by the landlord as a ground for eviction of the tenant in the suit or proceeding referred to in the said clause (a) exists, and

---

<sup>1</sup>Substituted by notification No. 11658L.R., dated the 3rd July, 1944.

- (ii) in the case referred to in clause (b) that it is a fit case for the landlord to recover possession of the house by execution of the decree or order referred to in that clause on any of the grounds specified in the said clause (c) on which such decree or order has been made,

the Controller shall, for reasons to be recorded in writing, make the order applied for, and if the Controller is not so satisfied he shall also for reasons to be recorded in writing make an order rejecting the application.

(4) The Controller may, before making under sub-paragraph (3) any order referred to in sub-paragraph (2) permitting a landlord to recover possession of a house by the execution of a decree or order, allow such time as he considers necessary to the tenant to vacate the house and to deliver possession thereof to the landlord.

(5) Any person affected by any order of the Controller made under sub-paragraph (3) shall be entitled to be furnished with a copy thereof and such copy shall be admissible in evidence in any Court of law to prove the order of the Controller.

(6) Where any appeal has been presented under paragraph 12 against an order of the Controller under sub-paragraph (3) permitting a landlord to institute a suit or proceeding in any Court or to prosecute any suit or proceeding pending in any Court or to recover possession of a house by the execution of a decree or order, all proceedings in connection with such suit or proceeding or the execution of such decree or order shall be stayed during the period such appeal is pending on intimation of such appeal being given to the Court in which such suit or proceeding has been instituted or such suit or proceeding or the execution of such decree or order is pending, as the case may be, by the person to whom such appeal has been presented.

<sup>1</sup>10B. Where a landlord refuses to accept the rent referred to in sub-paragraph (1) of paragraph 10 offered by a tenant, the tenant may deposit it with the Controller within a fortnight of its becoming due and on receiving such deposit the Controller shall cause a notice of the receipt of the deposit to be served on the landlord and the amount of the deposit may be withdrawn by the landlord on application made by him to the Controller in that behalf.

<sup>1</sup>10C. Where any order or decree for the recovery of possession of any house has been made but the possession of such house has not been recovered before the sixth day of July, 1944, by the execution of such order or decree, the Court by which the order or decree was made may, if it is of opinion that the order or decree would not have been made if the provisions of paragraph 10 of this Order had been in operation at the date of the making of the order or decree, rescind or vary the order or decree in such manner as the Court may think fit for the purpose of giving effect to the provisions of the said paragraph.

<sup>1</sup>10D. (1) The Controller shall on application made to him in that behalf by any tenant in possession of any house cause a notice to be served on the landlord thereof requiring him to make any repairs which such landlord is bound to make to the house or to take any measures for the due maintenance of any essential supply or service, such as the maintenance of supply of water or electricity and the maintenance of drainage service, which such landlord is bound to maintain in the house under the conditions of the tenancy.

(2) If after receipt of such notice the landlord fails or neglects to make within reasonable time such repairs or to take within reasonable time such measures, as the case may be, the tenant may submit to the Controller an

<sup>1</sup>Substituted by notification No. 11658L.R., dated the 3rd July, 1944.

estimate of the cost of such repairs or measures, and may apply to him for permission to make such repairs or to take such measures himself and thereupon the Controller may, after considering such estimate of cost and making such inquiries as he may consider necessary, by an order in writing, permit the tenant to make such repairs or to take such measures, as the case may be, at a cost not exceeding such amount as may be specified in the order and it shall thereafter be lawful for the tenant to make such repairs or to take such measures himself and to deduct the cost thereof which shall in no case exceed the amount so specified from the rent or otherwise recover it from the landlord.

<sup>1</sup>10E. (1) If any person is evicted from any house by reason of an order or requisition made in respect of such house under the Defence of India Rules, he may apply to the Controller for providing him with similar accommodation in another house within the local area under the jurisdiction of the Controller, subject to the payment of such rent as may be fixed by the Controller under this paragraph.

(2) In making an application under sub-paragraph (1) the applicant shall state in the application such particulars as may be specified in this behalf by the Provincial Government regarding any house in such local area which is unoccupied and in which the accommodation required by the applicant is available.

(3) On receipt of such application the Controller shall cause a notice in the form specified in this behalf by the Provincial Government together with a copy of the application to be served on the owner of the said house to show cause within fifteen days from the date of service of the notice why the said house should not be let out to the applicant on such rent as having regard to the provisions of this Order and the circumstances of the case, the Controller may fix.

(4) If within the time specified in the notice referred to in sub-paragraph (3) or such further time as may be allowed by the Controller the owner shows cause which the Controller considers to be satisfactory, the application shall be rejected, and if the Controller does not reject the application, he shall fix the rent of such house at such amount as having regard to the provisions of this Order and the circumstances of the case he considers fair and equitable, and direct the owner to put the applicant in possession of such house.

11. For the purposes of an enquiry under this Order, the Controller may—

- (a) require the landlord to produce any book of account, document or other information relating to the house,
- (b) enter and inspect the house, and
- (c) authorise any officer subordinate to him to enter and inspect the house.

12. (1) Any person aggrieved by an order of the Controller may, within fifteen days from the date on which the order is communicated to him, <sup>1</sup>[present an appeal in writing to the District Judge of the district in which the house in respect of which such order is made is situated].

(2) The <sup>1</sup>[District Judge], as the case may be, shall then send for the record of the case from the Controller and, after perusing such record and after <sup>2</sup>[taking such evidence himself or personally making such further enquiry] as he thinks fit, shall decide the appeal.

(3) The decision of the <sup>1</sup>[District Judge], as the case may be, and subject only to such decision, an order of the Controller, shall be final.

<sup>1</sup>Substituted by notification No. 8748 L.R., dated the 25th June, 1943.

<sup>2</sup>Substituted by notification No. 11658 L.R., dated the 3rd July, 1944.

*Notification No. 1427 J., dated the 31st March, 1942 (published in the "Calcutta Gazette" of the 2nd April, 1942, Pt. I, p. 952).*

In exercise of the powers conferred by sub-paragraph (3) of paragraph 1 of the Bengal House Rent Control Order, 1942, published under notification No. 779J., dated the 20th February, 1942, the Governor is pleased to direct that the said Order shall come into force in the whole of Bengal except the Presidency-town of Calcutta and the district of Chittagong Hill Tracts with effect from the date of publication of this notification in the *Calcutta Gazette*.

2. In exercise of the powers conferred by clause (1) of paragraph 2 of the said Order, the Governor is pleased to appoint the officers mentioned in column 1 of the table below as Controllers under the said Order for the areas mentioned in the corresponding entries in column 2 of that table:—

Controller. 1	Area. 2
Senior Deputy Magistrate, Burdwan Sadar.	Sadar subdivision of the Burdwan district.
Subdivisional Magistrate, Katwa	Katwa subdivision of the Burdwan district.
Subdivisional Magistrate, Kalna ..	Kalna subdivision of the Burdwan district.
Subdivisional Magistrate, Asansol	Asansol subdivision of the Burdwan district.
Senior Deputy Magistrate, Birbhum Sadar.	Sadar subdivision of the Birbhum district.
Subdivisional Magistrate, Rampurhat.	Rampurhat subdivision of the Birbhum district.
Senior Deputy Magistrate, Bankura Sadar.	Sadar subdivision of the Bankura district.
Subdivisional Magistrate, Bishnupur.	Bishnupur subdivision of the Bankura district.
Senior Deputy Magistrate, Midnapore Sadar.	Sadar subdivision of the Midnapore district.
Subdivisional Magistrate, Jhargram	Jhargram subdivision of the Midnapore district.
Subdivisional Magistrate, Ghatal	Ghatal subdivision of the Midnapore district.
Subdivisional Magistrate, Tamluk	Tamluk subdivision of the Midnapore district.
Subdivisional Magistrate, Contai	Contai subdivision of the Midnapore district.
Senior Deputy Magistrate, Hooghly Sadar.	Sadar subdivision of the Hooghly district.
Subdivisional Magistrate, Serampore.	Serampore subdivision of the Hooghly district.
Subdivisional Magistrate, Arambagh.	Arambagh subdivision of the Hooghly district.



Controller.	Area.
1	2
Senior Deputy Magistrate, Howrah Sadar.	Sadar subdivision of the Howrah district.
Subdivisional Magistrate, Uluberia	Uluberia subdivision of the Howrah district.
Subdivisional Magistrate, Diamond Harbour.	Diamond Harbour subdivision of the 24-Parganas district.
Subdivisional Magistrate, 24-Parganas Sadar.	Sadar subdivision of the 24-Parganas district.
Circle Officer, Barrackpore ...	Barrackpore subdivision of the 24-Parganas district.
Subdivisional Magistrate, Barasat	Barasat subdivision of the 24-Parganas district.
Subdivisional Magistrate, Basirhat	Basirhat subdivision of the 24-Parganas district.
Subdivisional Magistrate, Kushtia	Kushtia subdivision of the Nadia district.
Subdivisional Magistrate, Meherpur.	Meherpur subdivision of the Nadia district.
Subdivisional Magistrate, Chuadanga.	Chuadanga subdivision of the Nadia district.
Senior Deputy Magistrate, Nadia Sadar.	Sadar subdivision of the Nadia district.
Subdivisional Magistrate, Ranaghat.	Ranaghat subdivision of the Nadia district.
Senior Deputy Magistrate, Murshidabad Sadar.	District of Murshidabad.
Subdivisional Magistrate, Sadar subdivision of the Jessore district.	Sadar subdivision of the Jessore district.
Subdivisional Magistrate, Magura	Magura subdivision of the Jessore district.
Subdivisional Magistrate, Narail	Narail subdivision of the Jessore district.
Subdivisional Magistrate Bongaon	Bongaon subdivision of the Jessore district.
Subdivisional Magistrate, Jhenida	Jhenida subdivision of the Jessore district.
Subdivisional Magistrate, Sadar subdivision of the Khulna district.	Sadar subdivision of the Khulna district.
Subdivisional Magistrate, Satkhira	Satkhira subdivision of the Khulna district.
Subdivisional Magistrate, Bagerhat	Bagerhat subdivision of the Khulna district.

Controller. 1	Area. 2
Subdivisional Magistrate, Narayanganj.	Narayanganj subdivision of the Dacca district.
Subdivisional Magistrate, Sadar (South) subdivision of the Dacca district.	Sadar subdivision of the Dacca district.
Subdivisional Magistrate, Manikganj.	Manikganj subdivision of the Dacca district.
Subdivisional Magistrate, Munshiganj.	Munshiganj subdivision of the Dacca district.
Subdivisional Magistrate, Jamalpur	Jamalpur subdivision of the Mymensingh district.
Subdivisional Magistrate, Tangail	Tangail subdivision of the Mymensingh district.
Subdivisional Magistrate, Netrakona.	Netrakona subdivision of the Mymensingh district.
Subdivisional Magistrate, Sadar subdivision of the Mymensingh district.	Sadar subdivision of the Mymensingh district.
Subdivisional Magistrate, Kishoreganj.	Kishoreganj subdivision of the Mymensingh district.
Senior Deputy Magistrate, Faridpur Sadar.	Sadar subdivision of the Faridpur district.
Subdivisional Magistrate, Gopalganj.	Gopalganj subdivision of the Faridpur district.
Subdivisional Magistrate, Madaripur.	Madaripur subdivision of the Faridpur district.
Subdivisional Magistrate, Goalundo	Goalundo subdivision of the Faridpur district.
Subdivisional Magistrate, Patuakhali.	Patuakhali subdivision of the Bakarganj district.
Subdivisional Magistrate, Pirojpur	Pirojpur subdivision of the Bakarganj district.
Senior Deputy Magistrate, Bakarganj Sadar.	Sadar subdivision of the Bakarganj district.
Subdivisional Magistrate, Bhola ...	Bhola subdivision of the Bakarganj district.
Subdivisional Magistrate, Sadar subdivision of the Chittagong district.	Sadar subdivision of the Chittagong district.
Subdivisional Magistrate, Cox's Bazar.	Cox's Bazar subdivision of the Chittagong district.

Controller. 1	Area. 2
'Subdivisional Magistrate, Sadar (South) subdivision of the Tippera district.	Sadar (South) subdivision of the Tippera district.
Subdivisional Magistrate, Sadar (North) subdivision of the Tippera district.	Sadar (North) subdivision of the Tippera district.
Subdivisional Magistrate, Brahmanbaria.	Brahmanbaria subdivision of the Tippera district.
Subdivisional Magistrate, Chandpur.	Chandpur subdivision of the Tippera district.
Senior Deputy Magistrate, Noakhali Sadar.	Sadar subdivision of the Noakhali district.
Subdivisional Magistrate, Feni ...	Feni subdivision of the Noakhali district.
Senior Deputy Magistrate, Rajshahi Sadar.	Sadar subdivision of the Rajshahi district.
Subdivisional Magistrate, Naogaon	Naogaon subdivision of the Rajshahi district.
Subdivisional Magistrate, Nator ...	Nator subdivision of the Rajshahi district.
Subdivisional Magistrate, Sadar subdivision of the Dinajpur district.	District of Dinajpur.
Senior Deputy Magistrate, Jalpaiguri Sadar.	Sadar subdivision of the Jalpaiguri district.
Subdivisional Magistrate, Alipur Duars.	Alipur Duars subdivision of the Jalpaiguri district.
Subdivisional Magistrate, Sadar subdivision of the Rangpur district.	Sadar subdivision of the Rangpur district.
Subdivisional Magistrate, Nilphamari.	Nilphamari subdivision of the Rangpur district.
Subdivisional Magistrate, Kurigram	Kurigram subdivision of the Rangpur district.
Subdivisional Magistrate, Gaibandha.	Gaibandha subdivision of the Rangpur district.
Subdivisional Magistrate, Sadar subdivision of the Bogra district.	District of Bogra.
Subdivisional Magistrate, Sadar subdivision of the Pabna district.	Sadar subdivision of the Pabna district.
Subdivisional Magistrate, Sirajganj	Sirajganj subdivision of the Pabna district.
Senior Deputy Magistrate, Malda	District of Malda.
Deputy Commissioner, Darjeeling	Sadar subdivision of the Darjeeling district.

\*Substituted by notification No. 16175L. R., dated the 3rd October, 1944.

Controller. 1	Area. 2
Subdivisional Magistrate, Kalimpong.	Kalimpong subdivision of the Darjeeling district.
Subdivisional Magistrate, Kurseong	Kurseong subdivision of the Darjeeling district.
Subdivisional Magistrate, Siliguri	Siliguri subdivision of the Darjeeling district.

3. In exercise of the powers conferred by clause (4) of paragraph 2 of the said Order, the Governor is pleased to prescribe the 1st December, 1940, as the prescribed date for the district of Darjeeling and the 1st December, 1941, as that for the rest of Bengal excluding the Presidency town of Calcutta and the district of Chittagong Hill Tracts.

*Notification No. 12432 L.R., dated the 15th July, 1944 (published in the "Calcutta Gazette" of the 20th July, 1944, Pt. I, p. 919).*

In exercise of the powers conferred by sub-paragraphs (2) and (3) of paragraph 10E of the Bengal House Rent Control Order, 1942, the Governor is pleased to direct that—

(a) the following particulars shall be stated in an application under sub-paragraph (2) of paragraph 10E of the said Order regarding any house referred to in the said paragraph:—

- (1) premises No.                      of the building or hut;
- (2) whether the whole or any part of the building or hut is required;
- (3) if any part is required, the specification of the flat, suite or rooms and the total number of rooms required;
- (4) name and address of the owner; and

(b) the form of notice referred to in sub-paragraph (3) of paragraph 10E of the said Order shall be as follows:—

**Form of notice referred to in paragraph 10E(3) of the Bengal House Rent Control Order, 1942.**

To

.....(name of the owner).

.....(address).

Whereas.....(name of the applicant) has applied under sub-paragraph (1) of paragraph 10E of the Bengal House Rent Control Order, 1942, for providing him with accommodation in the house specified in the application (copy enclosed), you are hereby directed to show cause within fifteen days from the date of service of this notice why the said house should not be let out to the applicant on such rent as may be fixed by the Controller under the said paragraph.

*Controller.*

*Notification No. 8747 L.R., dated the 25th June, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 26th June, 1943, p. 103).*

In exercise of the powers conferred by clause (bb) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### **The Calcutta House Rent Control Order, 1943.**

1. (1) This Order may be called "The Calcutta House Rent Control Order, 1943".

(2) It extends to the whole of Calcutta.

2. In this Order, unless there is anything repugnant in the subject or context,—

(1) "Calcutta" has the same meaning as in clause (11) of section 3 of the Calcutta Municipal Act, 1923;

(2) "Controller" means an Officer appointed as such by the Provincial Government for an area to which this Order applies;

(3) "house" means any building or part of a building or hut let or to be let separately for residential or non-residential purposes and includes—

(a) the garden, grounds and out-houses (if any) appurtenant to such building or part of a building or hut; and

(b) any furniture supplied by the landlord for use in such building or part of a building;

but does not include a stall let at variable rents at different seasons of the year for the retail sale of goods in a market as defined in clause (39) of section 3 of the Calcutta Municipal Act, 1923, or a room or rooms in a hotel, boarding house or lodging house;

(4) "landlord" means any person who is for the time being receiving or entitled to receive rent in respect of any house whether on his own account, or on account, or on behalf, or for the benefit of any other person or as a trustee, guardian or receiver for any other person and includes a tenant who has sublet any house and every person from time to time deriving title under a landlord;

(5) "tenant" means any person by whom or on whose account rent is payable for a house, and includes [a legal representative, as defined in the Code of Civil Procedure, 1908, and] a person continuing in possession after the termination of a tenancy in his favour.

3. No landlord with effect from the first day of December, 1941 (hereinafter referred to as the prescribed date), shall be deemed to have been entitled to charge or shall charge a rate of rent which exceeds by more than ten per cent. the rent that was being paid on that date or, in respect of any house which was not let out on that date, a rate of rent which

<sup>1</sup>Inserted by notification No. 9352 L.R., dated the 19th March, 1944.

<sup>2</sup>Inserted by Order No. 12640 L.R., dated the 16th June, 1945.

exceeds by more than ten *per cent.* the rent which would, in the opinion of the Controller, have been paid on that date, if the house had been let out:

Provided that no enhancement of rent shall be allowed in respect of any house after the commencement of this Order except in so far as has been provided for in paragraph 8 of this Order:

Provided further that nothing in this paragraph shall apply to any periodical increment of rent accrued due under any written agreement entered into before the prescribed date.

4. Where the rent payable for any house has been fixed by any order or decree made after the prescribed date but before the commencement of this Order, the Court by which the order or decree was made may, if it is of opinion that the rent so fixed exceeds the rent chargeable under paragraph 3, vary the order or decree in such manner as the Court thinks fit for the purpose of giving effect to the provisions of the said paragraph.

5. With effect from the prescribed date no landlord shall be deemed to have been entitled to charge or shall charge a *salami* or premium for letting out a house on rent or for renewing the lease of a house.

<sup>1</sup>5A. It shall not be lawful for any landlord in consideration of the letting out of any house on rent or of the renewal of the lease of any house to require the payment of any sum exceeding one month's rent of such house as rent in advance.

6. <sup>2</sup>[(1)] <sup>1</sup>[Save as otherwise provided in sub-paragraph (2)] no refund shall be allowed if any amount in excess of the amount chargeable under paragraph 3 or any amount referred to in paragraph 5 has been paid before the commencement of this Order.

<sup>3</sup>(2) The Controller may, on the application of a tenant, order the refund of any sum in excess of the rent chargeable under this Order or any *salami* or premium referred to in paragraph 5 or any rent in advance in excess of one month's rent, paid by such tenant whether before or after the commencement of this Order, in respect of occupation of any house after the commencement of this Order, to such tenant or at the option of such tenant order the adjustment of any amount so paid in any other manner.

<sup>3</sup>(3) An order of the refund passed by the Controller under sub-paragraph (2) shall, subject to the provisions of paragraph 14, be final and shall be executed by the Court having jurisdiction to entertain a suit for the recovery of arrears of rent in respect of the house in relation to which the sum ordered to be refunded was paid as if such order of refund were a decree of that Court.

7. (1) The Controller may, in cases other than those provided for in paragraph 4 on his own motion or on application made to him by any person interested, fix the rent chargeable under paragraph 3 in respect of any house.

(2) No landlord shall charge any rent which exceeds the rent fixed under sub-paragraph (1), and any agreement for the payment of any rent which exceeds the rent fixed under sub-paragraph (1), shall be null and void in respect of such excess.

8. (1) In the case where some addition, improvement or alteration, not included in necessary repairs or repairs which are usually made to houses in the locality, has been carried out in any house at the landlord's expense after the prescribed date, an additional increase in rent in respect of such house shall be permissible.

<sup>1</sup>Inserted by notification No. 306 L.R., dated the 11th January, 1946.

<sup>2</sup>Renumbered, *ibid.*

<sup>3</sup>Added, *ibid.*

(2) Any increase in rent referred to in sub-paragraph (1) shall not exceed annually ten *per cent.* on the cost of such addition, improvement or alteration and shall not be chargeable until such addition, improvement or alteration has been completed.

(3) In the case where any furniture has been supplied after the prescribed date by the landlord for use in any house or in the case where a house which was let without any furniture on or after the said date is subsequently let furnished, an additional increase in rent in respect of such house shall be permissible.

(4) Where by reason of the exodus of people from Calcutta due to apprehension of hostile attack, the landlord has, after the prescribed date—

- (a) reduced the rent which was being paid in respect of any house, or
- (b) let out any house at a rent lower than the rent which was being paid in respect of the said house on the prescribed date or, in the case where the house was not let on the said date, which would have been payable on that date if the house had been let out,

he may in the absence of any agreement to the contrary increase such rent:

Provided that the rent so increased shall not exceed the rent which was being paid in respect of the said house on the prescribed date or which would have been payable on that date if the house had been let out on that date, as the case may be.

(5) Any dispute between the landlord and the tenant in regard to any increase of rent claimed under sub-paragraph (1), sub-paragraph (3) or sub-paragraph (4) shall be decided by the Controller and the Controller shall, in determining any such dispute in regard to an increase of rent claimed under sub-paragraph (3), take into consideration the cost of the furniture supplied.

18A. No distress warrant shall be issued under Chapter VIII of the Presidency Small Cause Courts Act, 1882, and no process under the Code of Civil Procedure, 1908, in execution of a decree passed *ex parte* thereunder shall be issued either for the attachment of property, or for the arrest of any tenant in connection with recovery of rent of any house situated in any area to which this Order applies, unless the person applying for execution shall, when making his application, swear or affirm by affidavit or otherwise that none of the rent in respect of which execution is applied for is such as is not chargeable under this Order.

9. (1) No order or decree for the recovery of possession of any house shall be made so long as the tenant pays rent to the full extent allowable by this Order and performs the conditions of the tenancy:

Provided that nothing in this sub-paragraph shall apply—

- (a) where the tenant has done any act contrary to the provisions of clause (m), clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or
- (b) where the tenant has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, or
- (c) where the house is *bona fide* required by the landlord either for purposes of building or re-building, or for his own occupation or for the occupation of any person for whose benefit the house is held, or where the landlord can show any cause which may be deemed satisfactory by the Court.

---

<sup>1</sup>Inserted by notification No. 306L.R., dated the 11th January, 1946.

(2) The fact that the period of the lease has expired, or that the interest of the landlord in the house has been transferred shall not of itself be deemed to be a satisfactory cause within the meaning of the proviso to sub-paragraph (1) provided that the tenant is ready and willing to pay rent to the full extent allowable by this Order.

(3) Where the landlord recovers possession on the ground that the house is *bona fide* required by him for purposes of building or re-building or for his own occupation or for the occupation of any person for whose benefit the house is held and the building or the re-building of the house is not commenced or the house is not occupied by the landlord or such person within fifteen days of the date of vacation of the house by the original tenant, or the house having been so occupied is re-let within six months of the said date to any person other than the original tenant, the Controller may, on the application of the original tenant made within seven months of his vacating the house, direct the landlord to put the original tenant in possession of the house and to pay him such compensation as may be fixed by the Controller.

<sup>1</sup>[(4) No tenant shall be entitled to the benefit of this paragraph in respect of any house unless—

- (a) he pays the rent due by him in respect of such house to the full extent allowable by this Order within the time fixed in the contract with his landlord or in the absence of such contract by the fifteenth day of the month next following that for which the rent is payable, and
- (b) in the case where any rent has accrued due before the commencement of this Order, also he has paid within three months of the date of such commencement all arrears of rent due by him in respect of such house to the full extent allowable by this Order, and
- (c) in the case where the Controller has by an order under sub-paragraph (1) of paragraph 7 or sub-paragraph (5) of paragraph 8 allowed any increase in the rate of rent payable in respect of such house with effect from any date earlier than the date of the Order, also he has paid the amount that has become payable by him on account of such increase for any period preceding the date of such order to the full extent and within the time specified in this behalf by the Controller or in the absence of any such specification within one month of the date of such order, or

where, the landlord has refused to accept any rent referred to in clauses (a), (b) and (c) or where there is a *bona fide* doubt or dispute as to the person who is entitled to receive such rent unless he has deposited such rent or any subsequent rent in respect of such house as provided in paragraph 10 within the time specified in that paragraph.

(5) For the purposes of this paragraph the rent allowable by this Order in relation to any house means,—

- (a) the rent agreed upon between the landlord and the tenant to be paid in respect of such house or where the rent so agreed upon exceeds the amount chargeable under paragraph 3 of this Order, so much of the rent so agreed upon as does not exceed the amount so chargeable, or

<sup>1</sup>Substituted by Order No. 12640 L.R., dated the 16th June, 1945.



- (b) where the rent in respect of such house has been fixed by the Controller under paragraph 7, the rent so fixed,

together with such increase of rent, if any, as may have been agreed upon between the landlord and the tenant in accordance with the provisions of paragraph 8 or may have been determined by the Controller under sub-paragraph (5) of that paragraph.]

<sup>1</sup>9A. (1) No suit or proceeding by a landlord against a tenant in possession of a house for eviction of such tenant therefrom in which any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 9 has been taken as a ground for such eviction shall be entertained by any Court, or, where any such suit or proceeding by a landlord is pending in any Court on the twenty-second day of May, 1944, no decree or order for the recovery of possession of the house in respect of which such suit or proceeding is pending shall be made by such Court on any of the grounds specified in the said clause (c) unless the landlord has been permitted by the Controller by an order in writing under sub-paragraph (3) to institute such suit or proceeding or to prosecute the suit or proceeding so pending, as the case may be, and has produced before such Court proof that such permission has been granted.

(2) If in any suit or proceeding by a landlord against a tenant in possession of a house for eviction of such tenant therefrom, a decree or order for the recovery of possession of such house has been made on any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 9 on or before the twenty-second day of May, 1944, but the possession of such house has not been recovered from the tenant, the execution of such decree or order shall be stayed until the landlord produces before the Court by which such decree or order may be executed or in which such execution is pending, as the case may be, proof that he has been permitted by the Controller by an order in writing under sub-paragraph (3) to recover possession of such house by the execution of such decree or order.

(3) A landlord wishing to obtain from the Controller—

- (a) any order referred to in sub-paragraph (1) permitting him to institute a suit or proceeding against a tenant in possession of a house for evicting such tenant therefrom or permitting him to prosecute any such suit or proceeding pending in any Court, or
- (b) any order referred to in sub-paragraph (2) permitting him to recover possession of the house in respect of which any decree or order referred to in the said sub-paragraph has been made by the execution of such decree or order,

shall apply in writing to the Controller in that behalf, and if on receipt of such application the Controller after giving the tenant in possession of the house an opportunity of showing cause against the application and considering all the circumstances of the case is satisfied—

- (i) in the case referred to in clause (a) that there is sufficient cause to hold that any of the grounds specified in clause (c) of the proviso to sub-paragraph (1) of paragraph 9 which has been taken by the landlord as a ground for eviction of the tenant in the suit or proceeding referred to in the said clause (a) exists, and

---

<sup>1</sup>Inserted by notification No. 9352L. R., dated the 19th May, 1944.

- (ii) in the case referred to in clause (b) that it is a fit case for the landlord to recover possession of the house by execution of the decree or order referred to in that clause on any of the grounds specified in the said clause (c) on which such decree or order has been made,

the controller shall for reasons to be recorded in writing make the order applied for, and if the Controller is not so satisfied he shall also for reasons to be recorded in writing make an order rejecting the application.

(4) The Controller may, before making under sub-paragraph (3) any order referred to in sub-paragraph (2) permitting a landlord to recover possession of a house by the execution of a decree or order, allow such time as he considers necessary to the tenant to vacate the house and to deliver possession thereof to the landlord.

(5) Any person affected by any order of the Controller made under sub-paragraph (3) shall be entitled to be furnished with a copy thereof and such copy shall be admissible in evidence in any Court of law to prove the order of the Controller.

(6) Where any appeal has been presented under paragraph 14 against an order of the Controller under sub-paragraph (3) permitting a landlord to institute a suit or proceeding in any Court or to prosecute any suit or proceeding pending in any Court or to recover possession of a house by the execution of a decree or order, all proceedings in connection with such suit or proceeding or the execution of such decree or order shall be stayed during the period such appeal is pending on intimation of such appeal being given to the Court in which such suit or proceeding has been instituted or such suit or proceeding or the execution of such decree or order is pending, as the case may be, by the person to whom such appeal has been presented.

19B. (1) No suit or proceeding by a landlord against a tenant in possession of a house for eviction of such tenant therefrom in which non-compliance with the provisions of this Order as to the payment or deposit of rent due by such tenant in respect of such house to the full extent allowable by this Order within the time specified in that behalf in this Order has been taken as a ground for such eviction shall be entertained by any Court, or where any such suit or proceeding by a landlord is pending in any Court on the 29th day of August 1945, no decree or order for the recovery of possession of the house in respect of which suit or proceeding is pending shall be made by such Court on such ground unless the landlord has been permitted by the Controller by an order in writing under sub-paragraph (2) to institute such suit or proceeding or to prosecute the suit or proceeding so pending, as the case may be, and has produced before such Court proof that such permission has been granted.

(2) A landlord wishing to obtain from the Controller any order in writing permitting him to institute a suit or proceeding referred to in sub-paragraph (1) or permitting him to prosecute any suit or proceeding pending in any Court referred to in the said sub-paragraph shall apply in writing to the Controller in that behalf, and if on receipt of such application the Controller, after giving the tenant in possession of the house an opportunity of showing cause against the application and considering all the circumstances of the case, is satisfied that there has been no such non-compliance with the provisions of this Order as to the payment or deposit of rent due by such tenant in respect of such house or that reasonable grounds exist for such non-compliance and if the tenant has paid to the landlord or has deposited in the manner in which a deposit of rent is required to be made under sub-paragraph (1) of paragraph 10 the rent in arrear, the Controller

shall for reasons to be recorded in writing make an order rejecting the application, and if the Controller is not so satisfied or if the tenant has not so paid or deposited the rent in arrear, the Controller shall also for reasons to be recorded in writing make the order applied for.

(3) Where any decree or order for the recovery of possession of any house has been made on or before the 29th day of August 1945 on the ground that the tenant in possession of such house is not entitled to the benefit of paragraph 9 by reason of his non-compliance with the provisions of this Order as to the payment or deposit of rent due by him in respect of such house but the possession of such house has not been recovered from the tenant—

(a) all proceedings for delivery of possession in execution of such decree or order shall be stayed until the 29th day of September 1945, or where an application has been made under clause (b) of this sub-paragraph until the date of disposal of such application; and

(b) the Court by which the decree or order was made shall set aside the decree or order if—

(i) any application is made in that behalf by the judgment-debtor not later than the said 29th day of September 1945, and

(ii) the judgment-debtor pays to the decree-holder or deposits in Court within such time as the Court may order the rent in arrear together with such portion of the cost of the suit or proceeding as may be determined by the Court.

<sup>19</sup>C. Any person affected by any order of the Controller made under paragraph (3) of paragraph 9A or under sub-paragraph (2) of paragraph 9B shall be entitled to be furnished with a copy thereof and such copy shall be admissible in evidence in any Court of law to prove the order of the Controller.

<sup>19</sup>D. Where any appeal has been presented under paragraph 14 against an order of the Controller under sub-paragraph (3) of paragraph 9A or under sub-paragraph (2) of paragraph 9B permitting a landlord to institute a suit or proceeding in any Court or to prosecute any suit or proceeding pending in any Court or against an order of the Controller under sub-paragraph (3) of paragraph 9A permitting a landlord to recover possession of a house by the execution of a decree or order, all proceedings in connection with such suit or proceeding or the execution of such decree or order shall be stayed during the period such appeal is pending on intimation of such appeal being given to the Court in which such suit or proceeding has been instituted or such suit or proceeding or the execution of such decree or order is pending, as the case may be, by the person to whom such appeal has been presented.

<sup>210</sup>. (1) When a landlord refuses to accept any rent referred to in paragraph 9 offered by a tenant in respect of any house, the tenant—

(a) may deposit such rent, and

(b) may also, unless the landlord signifies by notice in writing to the tenant his willingness to accept any subsequent rent which becomes due in respect of such house, deposit such rent,

within a fortnight <sup>3</sup>[from the expiry of the time or date within which such rent is required to be paid under clause (a), (b) or (c) of sub-paragraph (4) of paragraph 9, as the case may be], in such manner as the Provincial Government may direct.

<sup>1</sup>Inserted by notification No. 16589L.R., dated the 28th August, 1945.

<sup>2</sup>Substituted by Order No. 12640L.R., dated the 16th June, 1945.

<sup>3</sup>Inserted, *ibid.*

(2) Where any *bona fide* doubt or dispute has arisen as to the person who is entitled to receive any rent referred to in paragraph 9 in respect of any house, the tenant—

- (a) may deposit such rent stating the circumstances under which such deposit is made, and
- (b) may continue to deposit every subsequent rent which becomes due in respect of such house also stating the circumstances under which such deposit is made until such doubt has been removed or such dispute has been settled by the decision of any Competent Court or by settlement between the parties,

within a fortnight <sup>1</sup>[from the expiry of the time or date within which such rent is required to be paid under clause (a), (b) or (c) of sub-paragraph (4) of paragraph 9, as the case may be, in the same manner as has been directed by the Provincial Government for the deposit of rent under sub-paragraph (1).

(3) On any deposit being made under sub-paragraph (1), the Controller shall cause a notice of the receipt of the deposit to be served on the landlord and the amount of the deposit may be withdrawn by the landlord on application made by him to the Controller in that behalf.

(4) When a deposit has been made under sub-paragraph (2), the amount of such deposit shall be held by the Controller pending the removal of the doubt or the settlement of the dispute which has arisen as to the person who is entitled to receive the rent either by the decision of a Competent Court or by settlement between the parties and the amount of such deposit may be withdrawn by the person who is declared by such Court to be entitled to it or who is held by the Controller to be entitled to it in accordance with such settlement.]

11. Where any order or decree for the recovery of possession of any house has been made but the possession of such house has not been recovered before the date of commencement of this Order by the execution of such order or decree, the Court by which the order or decree was made may, if it is of opinion that the order or decree would not have been made if this Order had been in operation at the date of the making of the order or decree, rescind or vary the order or decree in such manner as the Court may think fit for the purpose of giving effect to the provisions of this Order.

<sup>2</sup>11A. (1) The Controller shall on application made to him in that behalf by any tenant in possession of any house cause a notice to be served on the landlord thereof requiring him to make any repairs which such landlord is bound to make to the house or to take any measures for the due maintenance of any essential supply or service, such as, the maintenance of supply of water or electricity, the maintenance of drainage service and the maintenance of any lift, which such landlord is bound to maintain in the house under the conditions of the tenancy.

(2) If after receipt of such notice the landlord fails or neglects to make within reasonable time such repairs or to take within reasonable time such measures, as the case may be, the tenant may submit to the Controller an estimate of the cost of such repairs or measures, and may apply to him for permission to make such repairs or to take such measures himself and thereupon the Controller may, after considering such estimate of cost and making such inquiries as he may consider necessary, by an order in writing, permit the tenant to make such repairs or to take such measures, as the case may be, at a cost not exceeding such amount as may be specified in the

<sup>1</sup>Inserted by Order No. 12640L.R., dated the 16th June, 1945.

<sup>2</sup>Inserted by notification No. 9352L.R., dated the 19th May, 1944.

order and it shall thereafter by lawful for the tenant to make such repairs or to take such measures himself and to deduct the cost thereof which shall in no case exceed the amount so specified from the rent or otherwise recover it from the landlord.

<sup>1</sup>[Provided that if the necessity for making any repairs or for taking any measures referred to in sub-paragraph (1) is so urgent that any delay involved in the foregoing procedure is likely to subject the tenant to personal loss, damage or serious inconvenience, the tenant may himself cause the notice referred to in the said sub-paragraph to be served on the landlord requiring him to make such repairs or to take such measures within forty-eight hours of the service of such notice and shall in every such case submit, at the same time, a copy of such notice to the Controller together with an estimate of the cost of such repairs or measures to enable the Controller to make such inquiries as he may consider necessary about the necessity of such repairs or measures and the correctness of the estimate so submitted, and if after the service of such notice the landlord fails to make such repairs or to take such measures within the time mentioned in the notice, the tenant may himself make such repairs or take such measures, as the case may be, and after completion of such repairs or measures submit to the Controller a statement of the costs thereof and thereafter the Controller, after considering such statement and making such further inquiries as he may consider necessary, may by an order in writing determine the amount of the costs which the tenant is entitled to recover from the landlord, and the tenant may thereupon deduct the amount so determined from the rent or otherwise recover it from the landlord.]

12. (1) If any person is evicted from any house by reason of an order or requisition made in respect of such house under the Defence of India Rules, he may apply to the Controller for providing him with similar accommodation in another house subject to the payment of such rent as may be fixed by the Controller under this paragraph.

(2) In making an application under sub-paragraph (1) the applicant shall state in the application such particulars as may be specified in this behalf by the Provincial Government regarding any house in the area to which this Order applies which is unoccupied and in which the accommodation required by the applicant is available.

(3) On receipt of such application the Controller shall cause a notice in the form specified in this behalf by the Provincial Government together with a copy of the application to be served on the owner of the said house to show cause within fifteen days from the date of service of the notice why the said house should not be let out to the applicant on such rent as, having regard to the provisions of this Order and the circumstances of the case, the Controller may fix.

(4) If within the time specified in the notice referred to in sub-paragraph (3) or such further time as may be allowed by the Controller the owner shows cause which the Controller considers to be satisfactory, the application shall be rejected, and if the Controller does not reject the application, he shall fix the rent of such house at such amount as having regard to the provisions of this Order and the circumstances of the case he considers fair and equitable, and direct the owner to put the applicant in possession of such house.

13. For the purpose of an inquiry under this Order, the Controller may—

- (a) require the landlord to produce any book of account, document or other information relating to the house,

<sup>1</sup>Added by notification No. 19959L.R., dated the 9th November, 1945.

- (b) enter and inspect the house, and
- (c) authorise any officer subordinate to him to enter and inspect the house.

14. (1) Any person aggrieved by an order of the Controller may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing—

- (a) in respect of houses in the Presidency-town of Calcutta, to the Chief Judge of the Court of Small Causes of Calcutta or to such other person or persons as may be appointed by the Provincial Government to hear such appeals either concurrently with, or to the exclusion of the said Chief Judge; and
- (b) in respect of houses elsewhere, to the District Judge of the 24-Parganas or to such other person or persons as may be appointed by the Provincial Government to hear such appeals either concurrently with, or to the exclusion of, the said District Judge:

<sup>2</sup>[Provided that no appeal shall lie under this sub-paragraph from any order made by the Controller under the proviso to paragraph 11A.]

(1A) Where the Provincial Government appoints a person or persons to hear appeals to the exclusion of the Chief Judge of the Court of Small Causes of Calcutta or of the District Judge of the 24-Parganas, the said Chief Judge or the said District Judge, as the case may be, shall transfer all appeals pending before him to the person or among the persons so appointed, and the person or persons to whom the appeals are thus transferred shall decide the appeal from the point at which it was transferred.

(2) The Chief Judge or the District Judge <sup>2</sup>or the person or persons appointed under sub-paragraph (1), as the case may be, shall then send for the record of the case from the Controller and after perusing such record and if necessary, taking such evidence himself or personally making such further enquiries as he thinks fit, shall decide the appeal.

(3) The decision of the Chief Judge or the District Judge <sup>2</sup>or person or persons appointed under sub-paragraph (1), as the case may be, and subject only to such decision, an order of the Controller, shall be final.

*Notification No. 17842 L.R., dated the 28th October, 1944 (published in the "Calcutta Gazette" of the 2nd November, 1944, Pt. I, p. 1394).*

In exercise of the power conferred by paragraph 10 of the Calcutta House Rent Control Order, 1943, the Governor is pleased to direct that the deposit of rent referred to in paragraph 10 of the said Order shall be made in the following manner, namely:—

1. Every such deposit may be made—

- (i) either by depositing the amount in the Reserve Bank of India, or
- (ii) by remitting the amount by postal money order, or
- (iii) by depositing the amount in the office of the Controller either by the tenant himself or by any other person on his behalf.

2. In the case where the amount is deposited in the Reserve Bank of India, the challan shall be prepared in triplicate furnishing the following particulars:—

- (i) the name and address of the person on whose behalf the money is tendered;

<sup>1</sup>Substituted by notification No. 281 L.R., dated the 8th January, 1944.

<sup>2</sup>Added by notification No. 306 L.R., dated the 11th January, 1946.

- (ii) the name and address of the landlord to whose credit the amount is to be placed in deposit,
- (iii) the particulars of deposit, namely:—
  - (a) the specification of the house in respect of which the deposit is made,
  - (b) the period to which the rent relates,
  - (c) the amount deposited as rent,
  - (d) the amount deposited as process fee;
- (iv) head of deposit, namely, "Civil deposit (Rent)".

The Reserve Bank shall forward one copy of the challan to the Controller and retain one copy for its records. The third copy shall be made over to the party depositing the amount.

3. In the case where the amount is remitted by postal money-order, the money-order shall be addressed to the Controller and the particulars referred to in clauses (i), (ii) and (iii) of paragraph 2 shall be noted on the money-order coupon.

4. In the case where the amount is deposited in the office of the Controller, the challan shall be prepared in duplicate and the particulars referred to in paragraph 2 shall be noted therein.

*Note.*—In every case the process fee prescribed, that is, a fee of eight annas only per party on whom the notice of deposit is to be served under paragraph 10 of the Order shall be deposited together with the rent.

*Notification No. 8749 L.R., dated the 25th June, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 26th June, 1943, p. 105).*

In exercise of the powers conferred by sub-paragraphs (2) and (3) of paragraph 12 of the Calcutta House Rent Control Order, 1943, the Governor is pleased to direct that—

- (a) the following particulars shall be stated in an application under sub-paragraph (2) of paragraph 12 of the said Order regarding any house referred to in the said paragraph:—
  - (1) Premises No. of the building or hut;
  - (2) Whether the whole or any part of the building or hut is required;
  - (3) If any part is required, the specification of the flat, suite or rooms and the total number of rooms required;
  - (4) Name and address of the owner; and
- (b) the form of notice referred to in sub-paragraph (3) of paragraph 12 of the said Order shall be, as follows:—

*Form of notice referred to in paragraph 12 (3) of the Calcutta House Rent Control Order, 1943.*

To

.....(Name of the owner).

.....(Address).

Whereas.....(name of the applicant) has applied under sub-paragraph (1) of paragraph 12 of the Calcutta House Rent Control Order, 1943, for providing him with accommodation in the house specified in the application (copy enclosed), you are hereby directed to show cause within fifteen days from the date of service of this notice why the said house should not be let out to the applicant on such rent as may be fixed by the Controller under the said paragraph.

*Controller.*

## (xl) Ice Control.

*Notification No. 1606 Fish, dated the 14th March, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 14th March, 1945, p. 47).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of notification No. 4026 Fish, dated the 19th October, 1944, published in the *Calcutta Gazette, Extraordinary*, dated the 21st October, 1944, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Ice Control Order, 1945.
- (2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.
- (3) It shall come into force on the 1st day of April, 1945.
2. (1) In this Order,—
  - (a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
  - (b) "Controller" means an officer appointed as such by the Provincial Government;
  - <sup>1</sup>[(c) "dealer" means a person who carries on the business of selling ice to consumer either as a wholesaler or a retailer and includes a manufacturer when he carries on the business of selling ice and also any person in charge of any depot maintained by a manufacturer for the selling of ice in retail quantities];
  - (d) "Form" means a form appended to this Order;
  - (e) "ice-making machinery" means any machinery for the manufacture of ice which is driven by any form of mechanically transmitted energy;
  - (f) "manufacturer" means a person engaged in the manufacture of ice.
- (2) For the purposes of this Order ice shall be deemed to be sold in whole-sale quantities if it is sold in quantities of not less than three maunds and five seers in one transaction and ice shall be deemed to be sold in retail quantities when it is sold in quantities of less than three maunds and five seers in one transaction.
3. Notwithstanding anything contained in paragraphs 12 and 13 of this Order, no person shall, after such date as may be specified by the Controller by notification in the *Official Gazette*, carry on the business of a manufacturer or dealer unless he holds a license in this behalf under this Order and except in accordance with the conditions mentioned in such license.
4. (1) Applications for the issue of licenses under this Order shall be made to the Controller in Form A.
- (2) Every license issued under this Order authorising a person to carry on the business of a manufacturer shall be in Form B and every license issued under this Order authorising a person to carry on the business of a dealer shall be in Form C.

<sup>1</sup>Substituted by notification No. 6323 Fish, dated the 11th August, 1945.



5. A manufacturer or dealer,—

- (a) shall not, in the case where the factory or premises in which ice is manufactured or kept stored for sale, as the case may be, is situated in Calcutta, <sup>1</sup>[sell or deliver any ice so manufactured or kept stored for sale for the purpose of being taken out from Calcutta to any place outside Calcutta] except under and in accordance with a permit in writing issued in this behalf by the Controller;
- (b) shall submit to the Controller such periodical returns of stocks, output and deliveries of ice as the Controller may direct;
- (c) shall comply with such directions as may be given by the Controller, by general or special order, from time to time, regarding the stock, output, sale, supply and delivery of the ice manufactured or kept stored for sale by such manufacturer or dealer, as the case may be.

<sup>2</sup>[5A. No manufacturer shall deliver any ice to any person and no person shall take delivery of any ice from any manufacturer unless such delivery is made or taken—

- (a) under, and in accordance with the conditions specified in, a permit issued under this Order, or
- (b) in compliance with any direction issued by the Controller under this Order, or
- (c) for the supplying, or for obtaining the supply, of any quota of ice allotted to such person by the Controller under this Order.]

6. Except under and in accordance with the conditions of a permit issued in writing in this behalf by the Controller no person shall <sup>3</sup>[take or cause to be taken, out from Calcutta to any place outside Calcutta or] bring or cause to be brought into Calcutta from any place outside Calcutta any ice, and, in Calcutta, no person except under and in accordance with the conditions of such a permit shall acquire by purchase or otherwise any ice not manufactured within Calcutta.

7. (1) The Controller may, from time to time, issue directions to any manufacturer or dealer to supply ice not exceeding such quantity, during such period or periods and to such person or persons as may be specified by the Controller.

(2) A manufacturer or dealer to whom any direction is issued under subparagraph (1) shall, on demand and offer of price by or on behalf of the person or persons so specified by the Controller, supply ice to such person or persons, as the case may be, in accordance with such directions.

8. The Controller may, from time to time, issue directions,—

- (a) allotting quotas of ice for supply or sale to consumers generally or for the supply or sale to any specified class or classes of consumers;
- (b) regarding the manner of disposal of the stocks of ice held by a manufacturer or a dealer,

and every manufacturer or dealer to whom any such direction is issued under this paragraph shall comply therewith.

<sup>1</sup>Substituted by notification No. 6323 Fish, dated the 11th August, 1945.

<sup>2</sup>Inserted, *ibid.*

9. (1) The Provincial Government may, from time to time, by notification in the *Official Gazette*, fix the maximum price at which ice may be sold, and the maximum price so fixed,—

(a) may be different in respect of the sale of ice in wholesale quantities from that so fixed in respect of the sale of ice in retail quantities; and

(b) shall in each case include the amount of any tax payable in respect of the sale of such ice under the Bengal Finance (Sales Tax) Act, 1941.

(2) When the maximum price at which ice may be sold by any person has been fixed under sub-paragraph (1), no such person shall sell or agree to sell and no person shall purchase or agree to purchase any ice at a price exceeding the maximum price so fixed.

<sup>1</sup>[10. Any agreement for delivery of ice entered into after the 31st day of December 1944 and before the commencement of this Order and existing at the date of such commencement which provides for the payment of a price exceeding the maximum price of such rice fixed under paragraph 9 or contains any terms which contravene any of the provisions of this Order or any directions issued hereunder shall, after such commencement, be deemed to be so revised as if for the price originally agreed upon a price not exceeding the maximum price so fixed, or for the said terms, such terms as do not contravene any of the said provisions or directions, has or have been substituted and every such agreement entered into by a manufacturer shall as so revised be binding on such manufacturer or on the person in charge of a depot for sale of ice maintained by such manufacturer according as the agreement provides for delivery in wholesale or in retail quantities.]

11. Every manufacturer or dealer holding a license issued under this Order shall comply with the conditions specified in the license issued to him and shall not sell, supply or deliver any ice manufactured or kept stored for sale by such manufacturer or dealer, as the case may be, except in accordance with the conditions specified in such license.

12. Except with the permission in writing of the Controller and subject to such terms and conditions as he may in each case specify in writing when such permission is given, no person shall carry on the business of selling ice as a manufacturer or dealer or as the agent of a manufacturer or dealer if he was not so doing on or before the 31st day of December, 1944.

13. (1) No person who was carrying on the business of selling ice as a manufacturer or dealer or as an agent of a manufacturer or dealer before the 31st day of December, 1944, shall continue to carry on such business after the expiry of fifteen days from the commencement of this Order unless he has been registered for this purpose under the provisions of sub-paragraph (2).

(2) The Controller may in his discretion, on application in writing made to him in this behalf, register any person who was carrying on the business of selling ice as a manufacturer or dealer or as an agent of a manufacturer or dealer before the 31st day of December, 1944, in a register maintained by him for this purpose.

(3) Every application for registration made under sub-paragraph (2) shall furnish the following particulars, namely:—

(a) in the case where the application is made by the agent of a manufacturer or dealer, the name and address of such manufacturer or dealer, and

<sup>1</sup>Substituted by notification No. 6323 Fish, dated the 11th August, 1945.

(b) the place or places at which such manufacturer, dealer or agent is carrying on the business of selling ice.

14. No person shall,—

- (a) sell, transfer or otherwise dispose of any ice-making machinery or any part thereof, or
- (b) move or cause to be moved any ice-making machinery or any part thereof, in the case where such machinery is kept at the commencement of this Order in any premises situated within Calcutta, to any place outside Calcutta and in the case where such machinery is kept at such commencement in any premises situated within any district (excluding in the case of the district of 24-Parganas so much of such district as is included within the suburbs of Calcutta), to any place outside such district,

except under and in accordance with a permit issued in writing by the Controller or by any person authorised in writing by the Controller in this behalf.

15. The Controller or any person authorised in this behalf in writing by the Controller may,—

- (a) enter upon and inspect any factory or other premises in which ice is being manufactured, sold or kept stored for sale or in which there is any ice-making machinery;
- (b) require any person to produce any books, accounts or other documents relating to any ice manufactured, purchased, sold or kept stored for sale by him or to any transaction in respect of such ice or to furnish such information relating to such manufacture, purchase, sale or storage for sale as the Controller or the person so authorised may consider necessary.

#### **Form "A".**

[See paragraph 4(1).]

*Application for Manufacturer's/Dealer's license under the Bengal Ice Control Order, 1945.*

To

The Controller,

I/We.....of.....  
beg to apply for a license to carry on the business of a manufacturer of ice at my/our factory known as The.....  
or (the business of a dealer in ice at.....).

*Signature.*

*Address.*

*Date.*.....

#### **Form "B".**

[See paragraph 4(2).]

*License for the carrying on of the business of a manufacturer of ice.*

License No.....

Area.....

Subject to the provisions of the Bengal Ice Control Order, 1945, and to the terms and conditions below of this license (name).....  
.....of (address).....is/are authorised to manufacture for sale ice at the factory or premises situated at.....

### **Terms and conditions.**

1. The licensee shall not in one transaction sell, supply or deliver either ~~ex~~-factory or through his own distributing agency any ice manufactured by him in any quantity less than 3 maunds and 5 seers in weight.

2. If and when directed so to do by the Controller the licensee shall supply ice not exceeding such quantity, during such period or periods and to such person or persons as may be specified in such direction.

3. The licensee shall submit to the Controller such periodical returns of stocks, output and delivery of ice as the Controller may direct.

4. The licensee shall comply with such directions as may, from time to time, be given by the Controller regarding the stock, output and sale of the ice manufactured by the licensee or the manner of disposal of the stocks of ice held by the licensee.

5. The licensee shall not sell any ice at a price exceeding the maximum price fixed under paragraph 9 of the said Order.

6. The licensee shall give all reasonable facilities to the Controller or to any person authorised in writing by the Controller to enter upon and inspect any factory or other premises in which ice is being manufactured, sold or kept stored for sale by the licensee.

*Signature of the Controller.*

*Date*.....

### **Form "C".**

[See paragraph 4(2).]

*License for the carrying on of the business of a dealer in ice.*

License No..... Area.....

Subject to the provisions of the Bengal Ice Control Order, 1945, and to the terms and conditions below of this license (name).....  
.....of (address).....is/are authorised to  
carry on the business of a dealer at.....

### **Terms and conditions.**

1. If and when directed so to do by the Controller the licensee shall supply ice not exceeding such quantity, during such period or periods and to such person or persons as may be specified in such direction.

2. The licensee shall comply with such directions as may, from time to time, be given by the Controller regarding the manner of disposal of stocks of ice held by the licensee or for securing compliance with the provisions of the said Order.

3. The licensee shall not sell any ice at a price exceeding the maximum price fixed under paragraph 9 of the said Order.

4. The licensee shall give all reasonable facilities to the Controller or to any person authorised in writing by the Controller to enter upon and inspect any premises in which ice is being sold or kept stored for sale by the licensee.

*Signature of the Controller.*

*Date*.....

*Notification No. 1999 Fish, dated the 19th March, 1945 (published in the "Calcutta Gazette" of the 22nd March, 1945, Part I, p. 460).*

In exercise of the powers conferred by clause (c) of paragraph 5 of the Bengal Ice Control Order, 1945, I hereby issue the following directions:—

1. For the purpose of these directions,—

- (a) the word "block" means a block of ice which is the unit quantity of ice produced by the ice-making machinery of a manufacturer;
- (b) a block shall ordinarily weigh three maunds and five seers and in such case nine blocks shall be deemed to be equivalent to one ton;
- (c) where a block weighs an amount different from three maunds and five seers, the number of blocks which shall be deemed to be equivalent to one ton shall be specified in each particular case by me by order in writing.

2. (1) No manufacturer in Calcutta or within the municipality of Howrah shall in one transaction sell *ex-factory* or through any agency any quantity of ice which is less than three maunds and five seers and any quantity of ice so sold shall,—

(a) as far as may be possible, be sold in blocks; and

(b) be charged for at the wholesale rate for the time being in force.

(2) For the avoidance of doubt, all broken ice and pieces of ice less in size than a block when forming part of any quantity of ice sold in any transaction referred to in sub-paragraph (1) of this paragraph shall also be sold at the wholesale rate for the time being in force.

3. All ice delivered *ex-factory* or from a factory depot or from an ice distributing agency shall be covered by challans, a copy of which shall be given to the persons in charge of the ice which is to be delivered showing clearly the quantity of ice comprised in each delivery and details of the customers to whom it is consigned and the quantities to be delivered to each customer. These challans shall on demand be produced to any person authorised by the Controller under clause (b) of paragraph 15 of the Bengal Ice Control Order, 1945.

4. (1) All sales of ice by dealers in excess of fifteen seers in weight shall be charged for at the maund rate for the time being in force.

(2) All sales of ice by dealers up to and not exceeding fifteen seers in weight shall be charged for at the seer rate for the time being in force.

5. No delivery charge for sale of ice not exceeding fifteen seers in weight shall be made:

Provided that in the case of house to house deliveries there may be charged for each daily delivery, charges at a rate not exceeding one rupee per month.

6. In the case of deliveries of ice in excess of fifteen seers in weight, where such ice is delivered at any place within Calcutta or at the Howrah Railway Station, delivery charges at the rate of two annas per maund subject to a maximum of six annas per block may be made, and where such ice is delivered at any other place, such delivery charges shall be made as may be arranged between the customer and the supplier.

7. (1) No delivery charges in respect of any sale of ice shall be made if the customer takes the delivery himself.

(2) Delivery charges shall not include packing, and reasonable packing charges based on the prevailing price of raw materials for such packing in the market may be made.

8. When ice is delivered the quantity of ice delivered shall be of full weight and any deficiency in weight at the time of delivery shall be made up by the supply of extra ice or by making allowance in price.

9. A copy of these directions shall be displayed prominently at every factory where ice is manufactured and at the depot or other place where ice is kept stored for sale by a manufacturer or dealer and at the place of business of every dealer.

*Notification No. 1605 Fish, dated the 14th March, 1945 (published in the "Calcutta Gazette, Extraordinary", of the 14th March, 1945, p. 47).*

In exercise of the power conferred by paragraph 9 of the Bengal Ice Control Order, 1945, the Governor is pleased to direct that the maximum price at which ice may be sold in wholesale or in retail quantities <sup>1</sup>[in Calcutta as defined in clause (a) of sub-paragraph (1) of paragraph 2 of the said Order and within the municipality of Howrah] shall be as follows:—

When sold in wholesale quantities—Rs. 3-8 for each block of 3 maunds and 5 seers of ice.

When sold in retail quantities—Rs. 1-8 for 1 maund and anna 1 for 1 seer.

*Notification No. 5691 Fish, dated the 16th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Part I, p. 1250).*

In exercise of the power conferred by paragraph 9 of the Bengal Ice Control Order, 1945, the Governor is pleased to direct that the maximum price at which ice may be sold in wholesale or in retail quantities in the district of Dacca shall be as follows:—

When sold in wholesale quantities—Rs. 5-14 per each block of 3 maunds and 5 seers of ice.

When sold in retail quantities—Rs. 2-8 per maund and annas 3 per seer.

*Notification No. 5985 Fish, dated the 27th July, 1945 (published in the "Calcutta Gazette" of the 2nd August, 1945, Part I, p. 1288).*

In exercise of the power conferred by paragraph 9 of the Bengal Ice Control Order, 1945, the Governor is pleased to direct that the maximum price at which ice may be sold in wholesale or in retail quantities in the district of Bankura shall be as follows:—

When sold in wholesale quantities—Rs. 7 for each block of 3 maunds and 5 seers of ice.

When sold in retail quantities—Rs. 3 per maund and annas 3 per seer.

*Notification No. 6259 Fish, dated the 8th August, 1945 (published in the "Calcutta Gazette" of the 16th August, 1945, Part I, p. 1356).*

In exercise of the power conferred by paragraph 9 of the Bengal Ice Control Order, 1945, the Governor is pleased to direct the maximum price at which ice may be sold in retail quantities in the district of Chittagong shall be as follows:—

Rs. 2 per maund and anna one for one seer.

---

<sup>1</sup>Inserted by notification No. 6258 Fish, dated the 8th August, 1945.

## (xii) Kerosene.

*Notification No. 1860-OC VIII-A-13, dated the 27th March, 1944 (published in the "Calcutta Gazette" of the 30th March, 1944, Pt. I, p. 358).*

In exercise of the power conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased, to make the following Order, namely:—

*Order.*

1. (1) This order may be called the Bengal Kerosene Control Order, 1944.

(2) It applies to the whole of Bengal.

(3) It shall come into force in such areas on such dates as the Provincial Government may, by notification in the *Official Gazette*, direct.

2. In this Order,—

(a) "Agent" means a person who has been appointed an agent of an oil company by such company and has been granted a licence under the provisions of paragraph 4 of this Order;

(b) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

(c) "Dealer" means a person who has been granted a licence under the provisions of paragraph 5 of this Order;

(d) "Director-General" means the Director-General, Consumer Goods, Department of Civil Supplies, Bengal, and includes any person authorised by the said Director-General to perform all or any of the functions of the Director-General under this Order;

(e) "District Magistrate" includes any person authorised by the District Magistrate to perform all or any of the functions of the District Magistrate under this Order;

(f) "Hawker" means a person who has been granted a licence under the provisions of paragraph 6 of this Order;

(g) "Oil Company" means a firm specified in Schedule A to this Order.

3. With effect from the date on which this Order comes into force in any area no person other than an oil company shall carry on trade in kerosene in such area unless he is in possession of a valid licence issued under this Order.

4. (1) The <sup>1</sup>[Director-General] may grant a licence to any agent in Bengal authorising him to carry on trade in kerosene as such agent.

(2) A licence granted under sub-paragraph (1) shall be in Form A appended to this Order and shall contain such conditions as the <sup>1</sup>[Director-General] may consider necessary.

(3) An agent shall not, without the permission in writing of the oil company of which he is the agent, sell, supply or transfer kerosene to any person other than a dealer duly licensed under paragraph 5, or a holder of a delivery order issued by the <sup>1</sup>[Director-General], in Calcutta, or the District Magistrate, elsewhere, under the provisions of paragraph 7 of this Order. The oil company when giving the permission in writing referred to in this sub-paragraph shall forward a copy thereof to the <sup>1</sup>[Director-General].

<sup>1</sup>Substituted by notification No. 3907D.C.S., dated the 16th April, 1945.

5. (1) The <sup>1</sup>[Director-General] in Calcutta and the District Magistrate elsewhere may grant a licence to any person authorising such person to carry on trade in kerosene as a dealer.

(2) A licence granted under sub-paragraph (1) shall be in Form B, appended to this Order and shall contain such conditions as the <sup>1</sup>[Director-General] may consider necessary.

6. (1) The <sup>1</sup>[Director-General] in Calcutta and the District Magistrate elsewhere may grant a licence to any person authorising him to carry on trade in kerosene as a hawker.

(2) A licence granted under sub-paragraph (1) shall be in Form C appended to this Order and shall contain such conditions as the <sup>1</sup>[Director-General] or the District Magistrate, as the case may be, may consider necessary.

7. (1) The <sup>1</sup>[Director-General] in Calcutta and the District Magistrate elsewhere may issue delivery orders to agents within his jurisdiction in respect of such consumers as are in the opinion of the <sup>1</sup>[Director-General] or the District Magistrate, as the case may be, essential consumers and are so specified by him for quantities of kerosene the total of which shall not exceed ten *per centum* of the monthly quantity released by oil companies for sale by their agents in each district.

(2) The <sup>1</sup>[Director-General] may for reasons to be recorded in writing increase the proportion referred to in sub-paragraph (1) for any particular area.

8. (1) Every agent, dealer and hawker shall comply with such conditions as may be specified in the licence granted and also with such general or special directions as may from time to time be given to him by the <sup>2</sup>[Director-General] or the District Magistrate, as the case may be, for the purpose of giving effect to the provision of this Order.

(2) Without prejudice to the generality of the powers conferred by sub-paragraph (1) such directions may, subject to the provisions of this Order, provide for—

- (a) the manner in which application for licences under this Order shall be made;
- (b) (i) the manner in which an agent shall dispose of the stocks released to him by the oil companies for sale;
- (ii) the manner in which a dealer or a hawker shall dispose of his stock of kerosene;
- (c) the quantity of kerosene which a dealer or a hawker may purchase during a specified period of time respectively from an agent or a dealer specially authorised to sell to hawkers;
- (d) the maximum quantity of kerosene which may be sold by a dealer or a hawker to a purchaser in one transaction or during a specified period of time;
- (e) the accounts and registers which shall be maintained by an agent, dealer and hawker and the returns or reports which shall be submitted by each.

9. (1) Without prejudice to any other action that may lawfully be taken against a licensee, the <sup>1</sup>[Director-General] may suspend or cancel a licence issued under paragraph 4.

<sup>1</sup>Substituted by notification No. 3907D.C.S., dated the 16th April, 1945.



(2) The <sup>1</sup>[Director-General] in Calcutta, or the District Magistrate elsewhere, may cancel or suspend a licence granted by him under paragraph 5 or 6,—

- (a) if the said <sup>1</sup>[Director-General] or the District Magistrate is of the opinion that the licensee has contravened any of the provisions of this Order, or any of the conditions specified in the licence granted to him or any direction given to him under the provisions of paragraph 8 of this Order; or
- (b) for any other sufficient reason recorded in writing.

*Explanation.*—For the purpose of this sub-paragraph the licensee shall be deemed to be responsible for the acts and omissions of his employees.

<sup>2</sup>9A. No person other than an oil company, an agent, a dealer or a hawker shall store or keep in possession more than two tins of kerosene except under a permit in writing issued by the Director-General in Calcutta or by the District Magistrate elsewhere.

10. The <sup>1</sup>[Director-General] or the District Magistrate may,—

- (a) enter and inspect the premises of any agent, dealer or hawker for the purpose of ascertaining if the provisions of this Order, the conditions of the licence and the direction of the <sup>1</sup>[Director-General] or the District Magistrate, as the case may be, are being complied with;
- <sup>2</sup>(aa) enter upon and inspect any premises in which he has reason to believe that any kerosene is being stored or possessed in contravention of the provisions of this Order;
- (b) require an agent, dealer or hawker to produce before him any accounts, registers, vouchers or other documents relating to the sale or purchase of kerosene by such agent, dealer or hawker.

<sup>3</sup>[11. Any court trying any contravention of this order may without prejudice to any other sentence which it may pass, direct that any kerosene together with the packages and containers thereof, in respect of which the court is satisfied that the contravention has occurred shall be forfeited to His Majesty.]

#### **Schedule A.**

1. Messrs. Burma-Shell Oil Storage and Distributing Co. of India, Ltd.
2. Messrs. Standard-Vacuum Oil Company.
3. Messrs. Caltex (India), Ltd.
4. Messrs. Indo-Burma Petroleum Co., Ltd.
5. Messrs. Burma Oil Co. (India Trading), Ltd.

---

<sup>1</sup>Substituted by notification No. 3907D.C.S., dated the 16th April, 1945.

<sup>2</sup>Inserted by notification No. 6250D.C.S., dated the 25th April, 1945.

<sup>3</sup>Inserted by notification No. 378D.C.S., dated the 9th January, 1946.

**GOVERNMENT OF BENGAL.****Office of the Director of Civil Supplies, Bengal,****7, Church Lane, Calcutta.**

Licence No.....

**Form A.***Licence for an agent.*

(Under paragraph 4 of the Bengal Kerosene Control Order, 1944.)

Subject to the provisions of Bengal Kerosene Control Order, 1944, and to the terms and conditions of this licence—

Name.....

Address.....

.....  
 is hereby licensed to carry on business as agent in kerosene from his depot at.....for supplying markets in (1).....  
 (2).....(3).....

<sup>1</sup>[Director/Deputy Director, Fuels,  
 Department of Civil Supplies, Bengal.]

Dated.....1944.

(For conditions of licence see below.)

**Conditions.**

1. The licensee shall not sell kerosene to any person other than a licensed dealer or to the holder of a delivery order issued by the <sup>1</sup>[Director-General] in Calcutta or the District Magistrate elsewhere.

2. The licensee shall not, without special instructions from the <sup>1</sup>[Director-General] or the District Magistrate, sell kerosene to licensed dealers or holders of delivery order except those that are specifically linked to him by the <sup>1</sup>[Director-General] or the District Magistrate as the case may be.

3. The licensee shall submit to the <sup>1</sup>[Director-General] in Calcutta, or to the District Magistrate elsewhere, a statement showing the amount of kerosene released monthly for sale by the oil companies in each of the areas mentioned on this licence and shall be bound to report at once to the said office any changes in these quantities which he may have to make by order of the oil companies.

4. As long as the licensee has stocks of kerosene released by the oil companies for a particular period left in his possession, he shall not during that period refuse to sell to those licensed dealers or holders of delivery orders that are linked to him.

5. The licensee, whenever he makes a sale, shall enter the name and address of his firm, the date of sale, and the quantity of kerosene sold on the back of the licence or the delivery order of the purchaser and shall sign such entries.

6. (a) The licensee shall maintain daily accounts in registers prescribed by the <sup>1</sup>[Director-General].

---

<sup>1</sup>Substituted by notification No. 3907D.C.S., dated the 16th April, 1945.

(b) The licensee shall submit, to the '[Director-General]' in Calcutta or the District Magistrate elsewhere, a monthly abstract of the registers in such form as may be specified by the '[Director-General]'.

(c) The licensee shall allow his accounts to be inspected at all times by officers authorised in this behalf under clause 10 of the Bengal Kerosene Control Order, 1944.

7. The licensee must grant a printed cash memo. for every sale.

8. The licensee shall not charge for kerosene, either in bulk or packed in tins, prices higher than those fixed by Government from time to time.

9. The licensee shall exhibit prominently in front of his depot a board stating—

(a) the fact that he is a licensed dealer, and

(b) the schedule of maximum prices of kerosene fixed by Government.

10. The licensee shall sell to licensed dealers or holders of delivery orders, the full quantity of kerosene shown on the permit or the dealer's licence (subject to stocks being available) and shall not sell to him any quantity in excess of this quota.

11. The licensee shall sell in full tins, equivalent to 4 Imperial gallons.

12. The licensee shall comply with the provisions of the Bengal Kerosene Control Order, 1944, and all general or special orders issued under that order.

## GOVERNMENT OF BENGAL.

### Department of Civil Supplies.

Licence No.....

Area.....

### Form B.

#### *Licence for a dealer.*

(Under paragraph 5 of the Bengal Kerosene Control Order, 1944.)

Subject to the provisions of the Bengal Kerosene Control Order and to the conditions of this licence—

Name....

Address.

is hereby authorised to carry on business as a dealer in kerosene from his shop at..... police-station .....

Ward No.....and to purchase from..... <sup>gallons</sup>  
(Name of Agent) <sup>tins</sup>  
(quantity)

of kerosene during each calendar month/week/fortnight commencing from the date of issue of this licence.

*District Magistrate.*

*Chief Inspector of Civil Supplies.*

Date.....1944.

<sup>1</sup>Substituted by notification No. 3907D.C.S., dated the 16th April, 1945.

### Conditions.

1. The licensee shall not, unless specially authorised to do so by the '[Director-General]' in Calcutta or the District Magistrate elsewhere, purchase kerosene from any agent other than the one mentioned in his licence.
2. The licensee shall not sell kerosene to (a) an agent, (b) another dealer, (c) hawkers unless specifically directed to do so by a general or special order in writing issued by the '[Director-General]' in Calcutta, or the District Magistrate elsewhere.
3. The licensee shall not sell more than a standard bottle of 22 oz. as certified  
by Government  
chataks of kerosene  
to any purchaser in a single transaction, unless specially authorised by the '[Director-General]' or the District Magistrate to do so.
4. The licensee shall (a) maintain daily accounts of receipts and sales of kerosene in registers prescribed by the '[Director-General]', (b) allow such accounts to be inspected at all times by officers authorised under clause 10 of the Bengal Kerosene Control Order, 1944.
5. The licensee must grant a proper cash memo. for every sale.
6. The licensee shall levy no charges other than the price for the kerosene fixed by the '[Director-General]' in Calcutta and the District Magistrate elsewhere.
7. The licensee shall sell kerosene only from the premises mentioned in the licence and from no other place.
8. The licensee shall exhibit prominently in front of his shop a board stating—
  - (a) the fact that he is a licensed dealer, and
  - (b) the schedule of maximum prices of kerosene fixed by the proper authority.
9. When purchasing kerosene from an agent, the licensee must produce his licence and allow the agent to enter on its back the particulars specified thereon.
10. As long as the licensee has stock of kerosene left in his possession he shall not refuse to sell to any intending buyer.
11. The licensee shall sell correct quantities with the help of accurate measures.
12. The licensee shall comply with all the provisions of the Bengal Kerosene Control Order, 1944, as well as with special or general orders issued by the '[Director-General]' from time to time.
13. [—For dealers, specially authorised under conditions (2) and (3) to sell in tins to hawkers—]
  - (a) The licensee shall not sell kerosene to any person other than the licensed hawkers linked to him by the '[Director-General]' or the District Magistrate, as the case may be.
  - (b) The licensee whenever he makes a sale shall enter the name and address of his firm, the date of sale and the quantity of kerosene sold on the back of the hawker's licence and shall sign such entries.
  - (c) The licensee shall not demand or receive any payment other than the prescribed price for the kerosene in bulk or tins, as the case may be.

(d) The licensee shall sell to each hawker linked to him his full quota as shown in the hawker's licence.

(e) The licensee shall sell in quantities equivalent to full tins of four Imperial gallons.

Date of sale.	Quantity of kerosene sold.	Name and address of the agent with depot No.	Signature of each agent.
---------------	----------------------------	--	--------------------------

## GOVERNMENT OF BENGAL.

### Department of Civil Supplies.

Licence No.....

Area.....

### Form C.

*Licence for a hawker.*

(Under paragraph 6 of the Bengal Kerosene Control Order, 1944.)

Subject to the provisions of the Bengal Kerosene Control Order, 1944, and to the terms and conditions of this licence—

Name....

Address.

is hereby authorised to carry on business as a hawker in kerosene in Block No.....Ward No.....police-station.....and to purchase from.....gallons of kerosene  
(a dealer specially authorised for the purpose) tins (quantity)

during each calendar month/week/day commencing from the date of the issue of this licence.

*District Magistrate.*

Date.....1944.

*Chief Inspector, Civil Supplies.*

### Conditions.

1. The licensee shall not, unless specially authorised to do so by the '[Director-General] or District Magistrate, purchase kerosene from any supplier other than the dealer mentioned in his licence.

2. The licensee shall not make any payment to the dealer except the prescribed price for the quantity of kerosene received by him either in bulk or packed in tins, as the case may be.

3. The licensee shall not sell more than a standard bottle of 22 oz. certified by Government chataks of  
kerosene to any purchaser in a single transaction.

4. When purchasing kerosene the licensee must produce his licence and allow the dealer to enter on its back the particulars specified thereon.

5. As long as the licensee has stocks of kerosene left in his possession he shall not refuse to sell to any intending buyer.

6. The licensee shall sell correct quantities with the help of accurate measures.

7. The licensee shall sell kerosene only within the area specified in his licence.

8. The licensee shall comply with all the provisions of the Bengal Kerosene Control Order, 1944, as well as with special or general orders issued by the '[Director-General] from time to time.

Date of sale	Quantity of kerosene sold.	Name and address of the specially authorised dealer.	Signature of such dealer.
--------------	----------------------------	--	---------------------------

*Notification No. VIII-A-4-8781-O.C., dated the 30th September, 1944 (published in the "Calcutta Gazette" of the 12th October, 1944, Pt. I, p. 1237).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Kerosene Control Order, the Governor is pleased to direct that the said order shall come into force in the districts mentioned below in Schedule A with effect in each district from the date mentioned against it:—

#### **Schedule A.**

Khulna—From 15th September, 1944.  
 Nadia—From 15th September, 1944.  
 Howrah—From 15th September, 1944.  
 Darjeeling—From 21st September, 1944.  
 Hooghly—From 1st October, 1944.  
 Birbhum—From 15th October, 1944.

*Notification No. 9441-O.C., dated the 27th October, 1944 (published in the "Calcutta Gazette" of the 2nd November, 1944, Pt. I, p. 1314).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Kerosene Control Order, the Governor is pleased to direct that the said order shall come into force in the districts mentioned below in Schedule A with effect in each district from the date mentioned against it:—

#### **Schedule A.**

Noakhali—From 22nd September, 1944.  
 Bakarganj—From 25th October, 1944.  
 Burdwan—From 1st November, 1944.  
 Rangpur—From 1st November, 1944.  
 Pabna—From 1st November, 1944.  
 Mymensingh—From 1st November, 1944.

*Notification No. 10390-O.C., dated the 23rd November, 1944 (published in the "Calcutta Gazette" of the 7th December, 1944, Pt. I, p. 1419).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Kerosene Control Order, the Governor is pleased to direct that the said order shall come into force in the districts mentioned below in Schedule A with effect in each district from the date mentioned against it:—

#### **Schedule A.**

Murshidabad—From 15th November, 1944.  
 Jessore—From 5th November, 1944.  
 Faridpur—From 15th November, 1944.

In Chandpur subdivision of Tippera—From 1st December, 1944.

*Notification No. 2602D.C.S., dated the 14th March, 1945 (published in the "Calcutta Gazette" of the 22nd March, 1945, Pt. I, p. 455).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Kerosene Control Order, the Governor is pleased to direct that the said order shall come into force in the district mentioned below in Schedule A with effect from the date mentioned against it:—

**Schedule A.**

Chittagong—From 1st March, 1945.

*Notification No. 3098D.C.S., dated the 16th April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 664).*

In exercise of the power conferred by clause (d) of paragraph 2 of the Bengal Kerosene Control Order, 1944, I hereby authorise the officers mentioned in column 2 of the table below to perform such of the functions of the Director-General under the said Order as are specified in the corresponding entries in column 1 of that table:—

Column 1.	Column 2.
Licensing agents under paragraph 4	Director/Duputy Director, Fuels.
Licensing dealers in Calcutta under paragraph 5.	Director/Deputy Director, Fuels, and Chief Inspectors of Civil Supplies, Calcutta.
Licensing hawkers in Calcutta under paragraph 6.	Director/Deputy Director, Fuels, and Chief Inspectors of Civil Supplies in Calcutta.
Issuing delivery orders in respect of essential consumers in Calcutta under paragraph 7.	Director/Deputy Director, Fuels, and Assistant Director, of Civil Supplies in charge of Kerosene Department of Civil Supplies, Bengal.
Issuing general or special directions to agents, dealers and hawkers in Calcutta under paragraph 8.	Director/Deputy Director, Fuels.
Suspension or cancellation of licenses under paragraph 9.	Director/Deputy Director, Fuels.
Entering and inspection of premises of licenses in Calcutta under clause (a) of paragraph 10.	(a) All gazetted officers. (b) All police officers not below the rank of officer in charge of police station. (c) All Chief Inspectors, Inspectors, and Sub-Inspectors of Civil Supplies.
Requiring licensees in Calcutta to produce accounts, registers, vouchers and other documents under clause (b) of paragraph 10.	Director/Deputy Director, Fuels.

*Notification No. 9498D.C.S., dated the 13th July, 1945 (published in the "Calcutta Gazette" of the 26th July, 1945, Pt. I, p. 1248).*

In exercise of the power conferred by clause (d) of paragraph 2 of the Bengal Kerosene Control Order, 1944, I hereby authorise all officers of the

**Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector and all officers of and above the rank of Sub-Inspector of the Enforcement Branch, C. I. D., Bengal, to perform the functions of the Director-General under paragraph 10 of the said Order, within their respective jurisdictions.**

*Notification No. 7881D.C.S., dated the 5th June, 1945 (published in the "Calcutta Gazette" of the 7th June, 1945, Pt. I, p. 967).*

**The Bengal Kerosene Rationing (Establishments) Preparatory Inquiry Order, 1945.**

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Kerosene Rationing (Establishments) Preparatory Inquiry Order, 1945.

(2) It shall apply to the areas specified in Schedule I and may be extended by the Provincial Government by notification in the *Official Gazette* to such other areas as may be specified in the notification.

2. In this Order—

(1) "appointed date" means such date as may be fixed by the Provincial Government in respect of any area;

(2) "Deputy Controller" means the Deputy Controller of Rationing, in charge of Kerosene, in the Directorate-General of Food, Department of Civil Supplies, Bengal;

(3) "Director" means the Director of Rationing in the Directorate-General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government, and includes the Controller of Rationing and the Deputy Director of Rationing, Calcutta Industrial Area, in the Directorate-General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government;

(4) "establishment" means any mill, factory, engineering workshop, premises used for manufacturing purposes, printing presses or type foundries, laboratory, hospital, sanatorium, convalescent home, nursing home, orphanage, workhouse, infirmary, asylum, school, college, residential hotel, hostel, boarding house, apartment house, residential club, nurses home, temple, mosque, church, large godown, or storage shed not used for residential purposes and includes any premises used by or for the purpose of any undertaking by way of any trade or business and also includes any department under the Central or the Provincial Government and any company or other body, whether incorporated under any law for the time being in force or not, owning, managing or having control of any vessel, tram car or any light railways (other than State Controlled);

(5) "Schedule" means a Schedule appended to this Order.

3. Every person owning or in charge of any establishment in any area specified in Schedule I or in any area to which this Order may subsequently be extended desiring to obtain supply of kerosene oil on or after the appointed date for use or consumption by or in such establishment shall, not later than a date fixed by the Director in this behalf for such area, furnish in duplicate to the Deputy Controller, true and correct information in respect of such establishment in the form specified in Schedule II.



4. For the purpose of verifying any information received under paragraph 3, the Deputy Controller or any person authorised in writing by the Deputy Controller may—

- (a) at any time after sunrise and before sunset enter upon and inspect any premises;
- (b) require any person to make any statement or furnish any information or to produce any books, accounts or other documents in his possession or under his control:

Provided that in entering upon and inspecting any premises the Deputy Controller or the person so authorised shall have due regard to the social and religious customs of the persons occupying the premises.

#### Schedule I.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipality of Garden Reach and Tollygunge in the district of 24-Parganas;

(4) the municipalities of Howrah and Bally in the district of Howrah;

(5) the municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

(6) the municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

#### Schedule II.

1. Estimate of monthly minimum requirements of white and/or red kerosene for only operational purposes.

2. Full particulars of current monthly offtake showing—

- (a) the source of supply (company, company's agent or dealer),
- (b) the total number of gallons consumed (white and red separately),
- (c) the total number of gallons out of the total quantity consumed which is used for non-operational purposes, i.e., for consumption by staff under the following headings:—

Class of staff.	Lighting (gallons).	Cooking (gallons).	Refrigeration (gallons).
<hr/>			
Executive/Clerical/Labour/Menial.			
<hr/>			

- (d) the quantity, if any, of kerosene used for any other purpose.

*Signature of person owning or in charge  
of the establishment.*

*Date*.....

*Notification No. 991 (LL), dated the 12th June, 1945 (published in the "Calcutta Gazette" of the 14th June, 1945, Pt. I, p. 1006).*

In pursuance of paragraph 3 of the Bengal Kerosene Rationing (Establishments) Preparatory Inquiry Order, 1945, I hereby fix the 30th day of June 1945 as the date not later than which a person owning or in charge of any establishment in the area specified in the Schedule below shall furnish in duplicate to the Deputy Controller of Rationing in charge of Kerosene, Town Hall, Calcutta, true and correct information in respect of such establishment in the form specified in Schedule II to the said Order:—

#### **Schedule.**

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;

(4) the municipalities of Howrah and Bally in the district of Howrah;

(5) the municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khurdah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

(6) the municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chisurah and (10) Bansberia in the district of Hooghly.

*Notification No. 3808D.C.S., dated the 12th April, 1945 (published in the "Calcutta Gazette" of the 19th April, 1945, Pt. I, p. 637).*

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Kerosene Rationing Preparatory Inquiry Order, 1945.

(2) It shall apply to the areas specified in Schedule I to this Order and may be extended by the Provincial Government by notification in the *Official Gazette* to such other areas as may be specified in the notification.

2. In this Order—

(1) "Director" means the Director of Rationing in the Directorate General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government, and includes the Controller of Rationing and the Deputy Director of Rationing, Calcutta Industrial Area, in the Directorate General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government;

(2) "Inquiry Officer" means a member of the Warden's branch of the Air Raid Precautions Service constituted under the Air Raid Precautions Services Ordinance, 1941, and includes any person authorised by the Director or by the Controller of any Air Raid Precautions Service so constituted in respect of any area within his jurisdiction, to collect the information referred to, in paragraph 3.

3. Every person shall on demand being made either orally or in writing by an Inquiry Officer furnish to such officer forthwith or within such period as may be fixed in this behalf by such officer full and true information of the following matters and on such other matters as may be incidental or explanatory thereto, namely:—

- (a) the address of the house, flat or holding in which he lives or carries on business,
- (b) the total number of rooms in such house, flat or holding,
- (c) the number of rooms in such house, flat or holding lit by electricity or gas,
- (d) the number of rooms used for the purpose of living or for the purpose of any business which are not lit by electricity or gas in such house, flat or holding,
- (e) the name of the head of the family in occupation of such house, flat or holding and the number of his Ration Card, and its folio number and the number of the ration shop where he is registered.

4. (1) On receipt of the information referred to in paragraph 3, the Inquiry Officer shall verify the information by such inquiries as he may consider necessary to make and shall then compile and sign a return in the form set out in Schedule II to this Order and thereafter forward the return to the Director or such other officer as may be specified in this behalf by the said Director.

(2) For the purposes of sub-paragraph (1), an Inquiry Officer may at any time after sunrise and before sunset enter upon and inspect any premises:

Provided that in entering upon and inspecting any premises the Inquiry Officer shall have due regard to the social and religious customs of the persons occupying the premises.

### Schedule I.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah;

(5) the municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhati, (6) Panihati, (7) Khardah, (8) Titagar, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar and (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and

(6) the municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagore, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia, in the district of Hooghly.

**Schedule II.**

Street .....

Road .....

Post Area .....

Sub-Area .....

Sector .....

Serial No.	House, Flat, Holding No.	Total No. of rooms.			Name of the Head of the family in occupation.	Food Ration Card of Head of family.			Kerosene units allotted.	No. of Kerosene card issued.	Remarks.
		Lit by electricity or gas.	Un-lighted rooms used for the purpose of living.	Un-lighted rooms used for the purpose of any business.		R. C. No.	Folio No.	Shop No.			

*Notification No. 103S., dated the 26th July, 1945 (published in the "Calcutta Gazette" of the 3rd August, 1945, Pt. I, p. 975).*

In exercise of the power conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (1) This Order may be called the Chittagong Hill-tracts Kerosene Control Order, 1944.

(2) It applies to the Chittagong Hill-tracts.

(3) It shall come into force on the 15th of August, 1944.

2. In this Order,—

(a) "Agent" means a person who has been appointed an agent of an oil company by such company and has been granted a license under the provisions of paragraph 4 of this Order;

(b) "Dealer" means a person who has been granted a license under the provisions of paragraph 5 of this Order;

(c) "Deputy Commissioner" includes any person authorised by the Deputy Commissioner to perform all or any of the functions of the Deputy Commissioner under this Order;

(d) "Hawker" means a person who has been granted a license under the provisions of paragraph 6 of this Order;

(e) "Oil Company" means a firm specified in Schedule A to this Order.

3. No person other than an oil company shall carry on trade in kerosene unless he is in possession of a valid license issued under this Order.

4. (1) The Deputy Commissioner may grant a license to any agent in the Chittagong Hill-tracts authorising him to carry on trade in kerosene as such agent.

(2) A licence granted under sub-paragraph (1) shall be in Form A appended to this Order and shall contain such conditions as the Deputy Commissioner may consider necessary.

(3) An agent shall not, without the permission in writing of the oil company of which he is the agent, sell, supply or transfer kerosene to any person other than a dealer duly licensed under paragraph 5, or a holder of a delivery order issued by the Deputy Commissioner under the provisions of paragraph 7 of this Order. The oil company when giving the permission in writing referred to in this sub-paragraph shall forward a copy thereof to the Deputy Commissioner.

5. (1) The Deputy Commissioner may grant a license to any person authorising such person to carry on trade in kerosene as a dealer.

(2) A licence granted under sub-paragraph (1) shall be in Form B appended to this Order and shall contain such conditions as the Deputy Commissioner may consider necessary.

6. (1) The Deputy Commissioner may grant a license to any person authorising him to carry on trade in kerosene as a hawker.

(2) A license granted under sub-paragraph (1) shall be in Form C appended to this Order and shall contain such conditions as the Deputy Commissioner may consider necessary.

7. (1) The Deputy Commissioner may issue delivery orders to agents in respect of such consumers as are in the opinion of the Deputy Commissioner, essential consumers and are so specified by him for quantities of kerosene the total of which shall not exceed ten *per centum* of the monthly quantity released by oil companies for sale by their agents in the Chittagong Hill-tracts.

(2) The Deputy Commissioner may for reasons to be recorded in writing increase the proportion referred to in sub-paragraph (1).

8. (1) Every agent, dealer and hawker shall comply with such conditions as may be specified in the license granted and also with such general or special directions as may from time to time be given to him by the Deputy Commissioner for the purpose of giving effect to the provisions of this Order.

(2) Without prejudice to the generality of the powers conferred by sub-paragraph (1) such directions may, subject to the provisions of this Order, provide for—

- (a) the manner in which applications for licences under this Order shall be made;
- (b) (i) the manner in which an agent shall dispose of the stocks released to him by the oil companies for sale;
- (ii) the manner in which a dealer or a hawker shall dispose of his stock of kerosene;
- (c) the quantity of kerosene which a dealer or a hawker may purchase during a specified period of time respectively from an agent or a dealer specially authorised to sell to hawkers;
- (d) the maximum quantity of kerosene which may be sold by a dealer or a hawker to a purchaser in one transaction or during a specified period of time;
- (e) the accounts and registers which shall be maintained by an agent, dealer and hawker and the returns or reports which shall be submitted by each.

9. (1) Without prejudice to any other action that may lawfully be taken against a licensee, the Deputy Commissioner may suspend or cancel a license issued under paragraph 4.

(2) The Deputy Commissioner may cancel or suspend a license granted by him under paragraph 5 or 6,—

(a) if the said Deputy Commissioner is of the opinion that the licensee has contravened any of the provisions of this Order, or any of the conditions specified in the license granted to him or any direction given to him under the provisions of paragraph 8 of this Order; or

(b) for any other sufficient reason recorded in writing.

*Explanation.*—For the purpose of this sub-paragraph the licensee shall be deemed to be responsible for the acts and omissions of his employees.

10. The Deputy Commissioner may,—

(a) enter and inspect the premises of any agent, dealer or hawker for the purpose of ascertaining if the provisions of this Order, the conditions of the license and the directions of the Deputy Commissioner are being complied with;

(b) require an agent, dealer or hawker to produce before him any accounts, registers, vouchers or other documents relating to the sale or purchase of kerosene by such agent, dealer or hawker.

#### **Schedule A.**

1. Messrs. Burma-Shell Oil Storage and Distributing Co. of India, Ltd.
2. Messrs. Standard-Vacuum Oil Company.
3. Messrs. Caltex (India), Ltd.
4. Messrs. Indo-Burma Petroleum Co., Ltd.
5. Messrs. Burma Oil Co. (India Trading), Ltd.

**Licence No.**.....

#### **FORM A.**

#### **LICENCE FOR AN AGENT.**

(Under paragraph 4 of the Chittagong Hill-tracts Kerosene Control Order, 1944.)

Subject to the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, and to the conditions of this license—

Name.....

Address.....

.....  
is hereby licensed to carry on business as agent in kerosene from his depot at.....for supplying markets in (1).....  
(2).....(3).....

*Deputy Commissioner.*

*Dated*.....194...

**Conditions.**

1. The licensee shall not sell kerosene to any person other than a licensed dealer or to the holder of a delivery order issued by the Deputy Commissioner.

2. The licensee shall not, without special instructions from the Deputy Commissioner sell kerosene to licensed dealers or holders of delivery orders except those that are specifically linked to him by the Deputy Commissioner.

3. The licensee shall submit to the Deputy Commissioner a statement showing the amount of kerosene released monthly for sale by the oil companies in each of the areas mentioned on this license and shall be bound to report at once to the said office any changes in these quantities which he may have to make by order of the oil companies.

4. As long as the licensee has stocks of kerosene released by the oil companies for a particular period left in his possession, he shall not during that period refuse to sell to those licensed dealers or holders of delivery orders that are linked to him.

5. The licensee, whenever, he makes a sale shall enter the name and address of his firm, the date of sale, and the quantity of kerosene sold on the back of the license or the delivery order of the purchaser and shall sign such entries.

6. (a) The licensee shall maintain daily accounts in registers prescribed by the Deputy Commissioner.

(b) The licensee, shall submit, to the Deputy Commissioner, a monthly abstract of the registers in such form as may be specified by the Deputy Commissioner.

(c) The licensee shall allow his accounts to be inspected at all times by officers authorised in this behalf under paragraph 10, of the Chittagong Hill-tracts Kerosene Control Order, 1944.

7. The licensee must grant a printed cash memo. for every sale.

8. The licensee shall not charge for kerosene, either in bulk or packed in tins, prices higher than those fixed by Government from time to time.

9. The licensee shall exhibit prominently in front of his depot a board stating—

(a) the fact that he is a licensed agent, and

(b) the schedule of maximum prices of kerosene fixed by Government.

10. The licensee shall sell to licensed dealers or holders of delivery orders, the full quantity of kerosene shown on the permit or the dealer's license (subject to stocks being available) and shall not sell to him any quantity in excess of this quota.

11. The licensee shall sell in full tins, equivalent to 4 Imperial gallons.

12. The licensee shall comply with the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, and all general or special orders issued under that Order.

**Licence No.**.....

**Area**.....

**FORM B.****LICENCE FOR A DEALER.**

(Under paragraph 5 of the Chittagong Hill-tracts Kerosene Control Order, 1944.)

Subject to the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, and to the conditions of this licence—

Name.....

Address.....

..... is hereby authorised to carry on business as a dealer in kerosene from his shop at....., police-station.....,

Ward No.....and to purchase from

(Name of Agent)

.....gallons/tins of kerosene during each calendar month/  
(Quantity)  
week/fortnight commencing from the date of issue of this license.

*Deputy Commissioner.*

**Dated**.....194...

**Conditions.**

1. The licensee shall not, unless specially authorised to do so by the Deputy Commissioner, purchase kerosene from any agent other than the one mentioned in his licence.
2. The licensee shall not sell kerosene to (a) an agent, (b) another dealer, (c) hawkers unless specifically directed to do so by a general or special order in writing issued by the Deputy Commissioner.
3. The licensee shall not sell more than a standard bottle of 22 oz. as certified by Government/.....chataks of kerosene to any purchaser in a single transaction unless specially authorised by the Deputy Commissioner to do so.
4. The licensee shall (a) maintain daily accounts of receipts and sales of kerosene in registers prescribed by the Deputy Commissioner, (b) allow such accounts to be inspected at all times by officers authorised under paragraph 10 of the Chittagong Hill-tracts Kerosene Control Order, 1944.
5. The licensee must grant a proper cash memo. for every sale.
6. The licensee shall levy no charges other than the price for the kerosene fixed by the Deputy Commissioner.
7. The licensee shall sell kerosene only from the premises mentioned in the licence and from no other place.
8. The licensee shall exhibit prominently in front of his shop a board stating—
  - (a) the fact he is a licensed dealer, and
  - (b) the schedule of maximum prices of kerosene fixed by the proper authority.
9. When purchasing kerosene from an agent, the licensee must produce his licence and allow the agent to enter on its back the particulars specified thereon.
10. As long as the licensee has stock of kerosene left in his possession he shall not refuse to sell to any intending buyer.
11. The licensee shall sell correct quantities with the help of accurate measures.
12. The licensee shall comply with all the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, as well as with special or general orders issued by the Deputy Commissioner from time to time.
13. [—For dealers, specially authorised under conditions (2) and (3) to sell in tins to hawkers—]
  - (a) The licensee shall not sell kerosene to any person other than the licensed hawkers linked to him by the Deputy Commissioner.
  - (b) The licensee whenever he makes a sale shall enter the name and address of his firm, the date of sale and the quantity of kerosene sold on the back of the hawker's licence and shall sign such entries.
  - (c) The licensee shall not demand or receive any payment other than the prescribed price for the kerosene in bulk or tins, as the case may be.
  - (d) The licensee shall sell to each hawker linked to him his full quota as shown in the hawker's licence.
  - (e) The licensee shall sell in quantities equivalent to full tins of four Imperial gallons.

Date of sale.	Quantity of kerosene sold.	Name and address of the Agent with Depot No.	Signature of each Agent.



Licence No.....  
Area.....

**FORM C.****LICENCE FOR A HAWKER.**

(Under paragraph 6 of the Chittagong Hill-tracts Kerosene Control Order, 1944.)

Subject to the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, and to the terms and conditions of this license—

Name.....

Address.....

is hereby authorised to carry on business as a hawker in kerosene in Block No....., Ward No....., police-station....., and to purchase from.....

(a dealer specially authorised for the purpose).....  
.....gallons/tins of kerosene during each calendar month/  
(quantity)

week/day commencing from the date of the issue of this license.

*Deputy Commissioner.*

Dated.....194...

**Conditions.**

1. The licensee shall not, unless specially authorised to do so by the Deputy Commissioner, purchase kerosene from any supplier other than the dealer mentioned in his license.

2. The licensee shall not make any payment to the dealer except the prescribed price for the quantity of kerosene received by him either in bulk or packed in tins, as the case may be.

3. The licensee shall not sell more than a standard bottle of 22 oz. certified by Government/.....chataks of kerosene to any purchaser in a single transaction.

4. When purchasing kerosene the licensee must produce his license and allow the dealer to enter on its back the particulars specified thereon.

5. As long as the licensee has stocks of kerosene left in his possession he shall not refuse to sell to any intending buyer.

6. The licensee shall sell correct quantities with the help of accurate measures.

7. The licensee shall sell kerosene only within the area specified in his license.

8. The licensee shall comply with all the provisions of the Chittagong Hill-tracts Kerosene Control Order, 1944, as well as with special or general orders issued by the Deputy Commissioner from time to time.

Date of sale.	Quantity of kerosene sold.	Name and address of the specially authorised dealer.	Signature of each dealer.

*Notification No. 1085D.C.S., dated the 31st January, 1945 (published in the "Calcutta Gazette" of the 15th February, 1945, Pt. I, p. 260.)*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 1220F.G., dated the 8th February, 1944, the Governor is pleased to

direct that the commodities specified in Schedule I shall not be moved by any person from any place within any area specified in column 1 of Schedule II below to any place outside that area except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers specified respectively opposite each such area in column 2 of the said Schedule II:

Provided that no such permit shall be required for the movement by rail, steamer or motor transport as personal luggage of any consignment of the said commodities not exceeding 2 maunds in weight at any one time.

### Schedule I.

Rice in the husk (paddy).

Rice husked.

### Schedule II.

Areas. 1	Officers 2
The district of Mymensingh	Regional Controller of Procurement, Mymensingh.
The district of Bakarganj	Regional Controller of Procurement, Bakarganj.
The district of Birbhum	Regional Controller of Procurement, Calcutta and Deputy Regional Controller of Procurement, Asansol.
The district of Bankura	Ditto.
The district of Burdwan	Ditto.
The district of Midnapore	Regional Controller of Procurement, Calcutta.
The district of Khulna	Regional Controller of Procurement, Calcutta and Deputy Regional Controller of Procurement, Khulna.
The districts of 24-Parganas, Howrah and Hooghly considered as one area.	Regional Controller of Procurement, Calcutta, for the whole of these districts and Deputy Regional Controller of Procurement, Khulna, for the Basirhat subdivision of the district of 24-Parganas only.
The district of Dinajpur .. ..	Regional Controller of Procurement, Dinajpur.
The districts of Darjeeling, Jalpaiguri and Rangpur considered as one area.	Ditto.
The district of Malda .. ..	Regional Controller of Procurement, Rajshahi.
The districts of Rajshahi and Bogra considered as one area.	Ditto.

*Notification No. 3287-O.C., dated the 16th May, 1944 (published in the "Calcutta Gazette" of the 25th May, 1944, Pt. I, p. 685).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

1. No person shall move or cause to be moved by any form of conveyance kerosene oil from any place in Calcutta to any place outside Calcutta except under and in accordance with the conditions of a permit in writing issued by the Director of Civil Supplies, Bengal, or by an officer authorised in writing in this behalf by the said Director.

2. This Order shall not apply to the moving of kerosene oil from any place in Calcutta to any place outside Calcutta—

(a) by any military authority, or

(b) by or on behalf of any of the following oil companies in the usual course of their business, if the movement by or on behalf of any such company is authorised in writing by an officer of such company recognised for this purpose by such company, namely:—

(1) Messrs. Burmah Shell Oil Storage and Distributing Company of India, Limited;

(2) Messrs. Standard Vacuum Company;

(3) Messrs. Caltex (India), Limited;

(4) Messrs. Indo-Burmah Petroleum Company, Limited.

3. In this Order, "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 1198D.C.S., dated the 24th January, 1946 (published in the "Calcutta Gazette" of the 7th February, 1946, Pt. I, p. 296).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Order No. 13126D.C.S., dated the 31st October, 1945, the Governor is pleased to direct that the prices of kerosene oil in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall, with effect from the 5th January 1946 be, and be deemed to have been, as stated in the Schedule below and to direct further with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the same in the *Calcutta Gazette*:—

### SCHEDULE.

*In tins of 4 gallons.*

#### A. Superior Kerosene (in bright plate tins).

					Rs. a. p.
1. Agents' selling price to dealers—					
(a) <i>Ex-godown</i>	..	..	..	..	4 10 3
(b) If delivered at dealers' premises	..	..	..	..	4 13 3
2. Dealers' selling price to hawkers	..	..	..	..	5 1 3

**B. Inferior Kerosene.***(I) (in bright plate tins).*

				Rs.	a.	p.
1.	Agents' selling price to dealers—					
	(a) <i>Ex-godown</i>	..	..	4	3	6
	(b) If delivered at dealers' premises	..	..	4	6	6
2.	Dealers' selling price to hawkers	..	..	4	10	0

*(II) (in black plate tins).*

1.	Agents' selling price to dealers—					
	(a) <i>Ex-godown</i>	..	..	4	1	0
	(b) If delivered at dealers' premises	..	..	4	4	0
2.	Dealers' selling price to hawkers	..	..	4	8	0

*In bulk (for 4 gallons).***A. Superior Kerosene.**

1.	Agents' selling price to dealers—					
	(a) <i>Ex-godown</i>	..	..	3	15	9
	(b) If delivered at dealers' premises	..	..	4	2	9
2.	Dealers' selling price to hawkers	..	..	4	6	9

**B. Inferior Kerosene.**

1.	Agents' selling price to dealers—					
	(a) <i>Ex-godown</i>	..	..	3	9	0
	(b) If delivered at dealers' premises	..	..	3	12	0
2.	Dealers' selling price to hawkers	..	..	4	0	0

*Retail price (per bottle of 22 oz.)*

Superior	..	..	..	0	3	6
Inferior	..	..	..	0	3	0

**(xiii) Medicine.**

*Notification No. 244P.H., dated the 8th February, 1944 (published in the "Calcutta Gazette" of the 10th February, 1944, Pt. I, p. 1313).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. Every person having in his possession any of the varieties of cinchona products specified in the Schedule below, in quantities exceeding one hundred and fifty grains shall furnish within ten days from the date of publication of this Order in the *Calcutta Gazette* to the Director of Public Health, Bengal, in Calcutta and to the Civil Surgeon of the district elsewhere, a statement showing the varieties of cinchona products and quantity of each which such person has in his possession on the date on which such statement is furnished.

2. Every person who, after furnishing any statement in accordance with paragraph 1 or after the expiry of ten days from the date of publication of this Order in the *Calcutta Gazette*, acquires any of the varieties of cinchona products specified in the Schedule in any quantity exceeding one hundred and fifty grains shall furnish within five days of his acquiring the same to the Director of Public Health, Bengal, in Calcutta and to the Civil Surgeon of the district elsewhere, a statement showing the varieties of cinchona products and quantity of each which such person has acquired.

3. After the expiry of fifteen days from the date of publication of this Order in the *Calcutta Gazette* no person shall have in his possession more than 1,000 grains of any of the varieties of cinchona products specified in the Schedule except under and in accordance with a permit issued in this behalf by the Director of Public Health, Bengal, in Calcutta or by the Civil Surgeon of the district elsewhere.

4. After the expiry of fifteen days from the date of publication of this Order in the *Calcutta Gazette* no person shall sell or distribute free of charge any of the varieties of cinchona products specified in the Schedule except under and in accordance with the conditions of a licence in the case of sale or a permit in the case of distribution free of charge, issued in this behalf by the Director of Public Health, Bengal, in Calcutta or by the Civil Surgeon of the district elsewhere.

5. Every person holding a licence or a permit issued under this Order shall comply with such directions regarding sale, free distribution, possession or use of any cinchona products to which this Order applies as may from time to time be issued by the Director of Public Health, Bengal.

6. (1) The maximum prices of the varieties of cinchona products to which this Order applies shall be such as the Provincial Government may from time to time specify by notification in the *Calcutta Gazette*.

(2) No person shall sell and no person shall buy such cinchona products at prices exceeding the maximum prices respectively fixed under sub-paragraph (1).

7. The Director of Public Health, Bengal, or the Civil Surgeon of the district or any person authorised in writing by the Director or the Civil Surgeon in this behalf may enter upon and inspect any premises in which any cinchona product to which this Order applies is kept or is believed to be kept and may take samples thereof.

8. In this Order, "Calcutta" means the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police, Act, 1866.

#### Schedule.

- |                                 |                               |
|---------------------------------|-------------------------------|
| (1) Cinchona febrifuge—Powder.  | (5) Quinine Hydrochloride.    |
| (2) Cinchona febrifuge—Tablets. | (6) Quinine Bi-hydrochloride. |
| (3) Quinine sulphate—Powder.    | (7) Quinine Hydrobromide.     |
| (4) Quinine sulphate—Tablets.   | (8) Quinine Bi-hydrobromide.  |

*Notification No. 1885P.H., dated the 26th June 1945 (published in the "Calcutta Gazette" of the 28th June, 1945, Pt. I, p. 1094).*

of paragraph  
dated the 8

February 1944, the Governor is pleased to direct that the maximum prices of the varieties of cinchona products specified below shall be as follows:—

**A.—QUININE SULPHATE.**

**(1) Tablets—5 grs. each.**

One anna per tablet.

or

four annas for 5 tablets

or

seven annas for 9 tablets.

**(2) Tablets—4 grs. each.**

One anna per tablet

or

four annas for 6 tablets

or

seven annas for 11 tablets.

**(3) Powder together with solvent in mixture—5 grs. per ounce.**

One anna per ounce without container

or

twelve annas for 9 ounces including costs of container, wrapper, etc., in Calcutta area

or

eleven annas for 9 ounces including costs of container, wrapper, etc., in areas outside Calcutta.

**B.—QUININE BI-HYDROCHLORIDE AMPOULES.**

**6 grains in 2 c.c.**

Five annas for each ampoule.

*Notification No. 7220 Q.R., dated the 10th August, 1945 (published in the "Calcutta Gazette" of the 16th August, 1945, Pt. I, p. 1349).*

In exercise of the powers conferred by clause 7 of the Quinine Rationing Order issued under Local Government notification No. 244P.H., dated the 8th February, 1944, the undersigned as Provincial Quinine Rationing Authority hereby authorises all officers of and above the rank of Sub-Inspector of Police of the Enforcement Branch, C. I. D., Bengal, to exercise within their respective jurisdictions the powers mentioned in the aforesaid clause.

*Notification No. 10497Ex., dated the 9th June, 1944 (published in the "Calcutta Gazette" of the 5th June, 1944, Pt. I, p. 794).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in continuation of order No. 5306Ex., dated the 16th March, 1944, published at page 312 of Part I of the *Calcutta Gazette* of 23rd March, 1944, the Governor is pleased to direct that the remaining orders fixing the maximum wholesale and retail prices in respect of medicines and medical supplies issued from time to time under the said clause by the Provincial Government or by any officer who has been directed by the Provincial Government under sub-section (5) of section 2 of the Defence of India Act, 1939 (XXV of 1939), to exercise the powers under the said clause shall be deemed to be cancelled.

*Notification No. 7908Ex., dated the 25th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 471).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct, in supersession of previous orders, that the medicines named in column 1 of the table below shall not be sold in the town of Calcutta, as defined in section 3 of the Calcutta Police Act, 1866, or in the suburbs of Calcutta, as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, at a price higher than the wholesale price and the retail price shown against each in columns 2 and 3 respectively of the table:—

**Table.**

1	2	3
Name of medicine.	Wholesale price.	Retail price.
	Rs. a. p.	Rs. a. p.
Aletris Cordial	52 13 0 Per doz. bottles.	5 0 0 each bottle.
Fellows Syrup—		
Small size ..	.. 50 9 9 ..	4 12 9 ..
Large size ..	.. 82 8 0 ..	7 13 0 ..
Antiphlogistine—		
Trial size ..	.. 16 8 0 per doz.	1 9 0 each.
Small size ..	.. 27 8 0 ..	2 9 0 ..
Medium size ..	.. 40 11 3 ..	3 13 9 ..
Hospital size ..	.. 150 10 0 ..	..

*Notification No. 7678Ex., dated the 20th April, 1944 (published in the "Calcutta Gazette" of the 27th April, 1944, Pt. I, p. 471).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct, in supersession of previous orders in this behalf, that the medicine named in column 1 of the table below shall not be sold in the town of Calcutta, as defined in section 3 of the Calcutta Police Act, 1866, or in the suburbs of Calcutta, as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, at a price higher than the wholesale price and the retail price specified in columns 2 and 3 respectively of the table:—

**Table.**

Name of medicine.	Wholesale price.	Retail price.
1	2	
Woodward's Gripe Water.	Rs. 19 per dozen bottles.	Rs. 1-12-9 per bottle.

*Notification No. 6549Ex., dated the 1st April, 1944 (published in the "Calcutta Gazette" of the 6th April, 1944, Pt. I, p. 373).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct, in supersession of previous orders in this behalf, that the medicine known as Tincture Iodine or Liquor Iodi Mitis B.P. shall not be sold in the town of Calcutta, as defined in section 3 of the Calcutta Police Act, 1866, or in

the suburbs of Calcutta, as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, at a price higher than the wholesale price and the retail price specified in the table below:—

**Table.**

Wholesale price—Rs. 4-4 per pound.

Retail price—Rs. 5 per pound in containers with cork stoppers or covers;  
Rs. 1-12 per 4 ounces in containers with cork stoppers or covers;  
and As. 7-6 per ounce in containers with cork stoppers or covers.

*Notification No. 1295Ex., dated the 24th January, 1944 (published in the "Calcutta Gazette" of the 27th January, 1944, Pt. I, p. 93).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that with effect from the 24th January, 1944, the medicines mentioned in column 1 of the following table shall not be sold in Calcutta as defined in section 3 of the Calcutta Police Act, 1866, or in the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, at prices higher than the wholesale and retail prices shown against each item in columns 2 and 3 respectively of the said table:—

**Table.**

Medicines.		Wholesale price.	Retail price
		Per dozen. Rs. a.	Per dozen. Rs. a.
Carter's Little Liver Pills	..	9 8	10 6
Vicks Vaporub	..	21 4	23 6
Cuticura Ointment—			
10 cents size	..	5 8	6 0
25 cents size	..	13 4	14 8
Antiphlogistine—			
Trial size	..	18 6	20 2
Small size	..	32 4	35 8
Medium size	..	48 4	53 2
Hospital size	..	142 12	....

*Notification No. 3201Com., dated the 21st September, 1940 (published in the "Calcutta Gazette" of the 3rd October, 1940, Pt. I, p. 2633).*

**Order.**

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules read with the Government of India, Department of Commerce, notification No. 501-Ind.-War (19)/40, dated the 29th June, 1940, the Governor is pleased to direct—

- (a) that all medical practitioners, chemists and traders in Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, who may have any stock of German medicines shall submit by the 19th October, 1940, to the Chief Controller of Prices, 8, Clive Street, Calcutta, a complete and carefully prepared list of



all such German medicines duly signed and dated by such medical practitioner or in the case of chemists or traders by some responsible person in the business or trade, and

- (b) that those who already submitted the list of such German medicines in July, 1940, shall not be required to resubmit the same but such persons shall, in the case where they have in stock any such medicines which were not included in the previous list, submit a supplementary list for such medicines in accordance with this order.

2. Any failure to comply with this order or wilful omission to include any such medicine in any list submitted under this order is punishable under the Defence of India Rules.

#### (xiv) Motor Spirit.

*Notification No. 1904P.R.A., dated the 28th April, 1943 (published in the "Calcutta Gazette, Extraordinary," of the 29th April, 1944, Pt. I, p. 73).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### Order.

1. This Order shall come into force on the 1st day of May 1943.
2. Notwithstanding anything contained in clause 5 of the Motor Spirit Rationing Order, 1941, no dealer shall under the said Order supply or permit the supply of motor spirit required for any vehicle in respect of which a special permit has been issued under the Home (Police) Department notification No. 433T., dated the 31st December 1942,—
  - (a) except against the surrender of a coupon whose serial number is entered over the signature of the Area Rationing Authority or, in the case of hired transport vehicles or vehicles included in a pool, over the signature of the person taking the vehicle on hire or the authority in charge of the pool, as the case may be, in the special permit so issued; and
  - (b) without endorsing in the special permit so issued the serial number of the coupon against the surrender of which the motor spirit is supplied, the quantity of the motor spirit supplied and the date of supply.

*Notification No. 5083P. R. A., dated the 13th September, 1943 (published in the "Calcutta Gazette, Extraordinary," of the 14th September, 1943, Pt. I, p. 161).*

Whereas it appears to the Provincial Government that it is necessary and expedient for securing the Defence of British India and the efficient prosecution of the War to regulate the manner in which motor spirit shall be distributed through dealers in the Province of Bengal:

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. This Order shall come into force on the 15th September 1943.

2. In this Order the expression—

- (i) "military vehicle" means a vehicle owned or requisitioned by His Majesty's Forces and bearing the registration mark referred to in sub-section (3) of section 39 of the Motor Vehicles Act, 1939, and includes any vehicle of the United States Forces;
- (ii) "motor spirit" has the same meaning as in the Motor Spirit Rationing Order, 1941.

3. Notwithstanding anything contained in the Motor Spirit Rationing Order, 1941—

- (a) no person owning, operating or having charge or control of any petroleum pump, the licensed owner and situation of which are specified in the Schedule below, shall supply or permit the supply of motor spirit from such pump to any vehicle other than a military vehicle.
- (b) no person owning, operating or having charge or control of any petroleum pump, excepting the petroleum pumps specified under clause (a) of this paragraph, shall supply or permit the supply of motor spirit from such pump to a military vehicle.

**Schedule.**

*[Not printed here.]*

*Notification No. P222/45/4475-P.R.A., dated the 13th July, 1945 (published in the "Calcutta Gazette" of the 19th July, 1945, Pt. I, p. 1231).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the order published under notification No. P.S./38/118-P.R.A., dated the 5th January 1945, the Governor is pleased to make the following order, namely:—

**Order.**

1. This Order shall come into force at once.
2. Notwithstanding anything contained in clauses 3 and 8 of the Motor Spirit Rationing Order, 1941, no dealer shall under the said Order supply or permit the supply of motor spirit against the surrender of special receipts issued in Form "A" as set out in the First Schedule to the said Order by the authorities specified in column 1 of the Schedule below unless the conditions specified in the corresponding entries in column 2 of that Schedule are fulfilled.
3. When any motor spirit is furnished against the surrender of any such special receipt the supplier shall, unless specially exempted by the Provincial Rationing Authority in writing, immediately endorse or cause to be endorsed on the back of the receipt so surrendered the registration number of the vehicle to which the motor spirit is furnished, the quantity of motor spirit supplied and the date of supply.

**The Schedule.**

Receipts issued by:—

- (i) the Military authorities ...
- (ii) the Central Public Works Department.

No such receipt is made out for more than one hundred gallons and no such receipt has been issued more than fourteen days before the date on which motor spirit is furnished against the surrender of such receipt.

1

Receipts issued by the East Indian, the Bengal and Assam, or the Bengal-Nagpur Railway or by the consumer pump owners to whom special receipts in Form A are issued.

Receipts issued by other persons ...

2

No such receipt is made out for more than five hundred gallons and no such receipt has been issued more than fourteen days before the date on which motor spirit is furnished against the surrender of such receipt.

No such receipt is made out for more than fifty gallons and no such receipt has been issued more than seven days before the date on which motor spirit is furnished against the surrender of such receipt.

#### (xv) Oilseeds, Oil and Oilcakes.

*Notification No. 8591D.C.S., dated the 19th June, 1945 (published in the "Calcutta Gazette" of the 21st June, 1945, Pt. I, p. 1078).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### Order.

1. (1) This Order may be called the Bengal Coconut Oil Control Order, 1945.

(2) It extends to the whole of Bengal except the Chittagong Hill-tracts.

(3) It shall come into force in such areas on such dates as the Provincial Government may, by notification in the *Official Gazette*, direct.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

(b) "Director-General" means the Director-General of Civil Supplies, Consumer Goods, appointed by the Provincial Government and includes any Additional Director-General of Civil Supplies, Consumer Goods, and the Director or any Additional Director or any Deputy Director of Consumer Goods, Bengal, appointed by the said Government or any other person authorised by the said Director-General to perform all or any of the functions of the Director-General under this Order;

(c) "District Magistrate" includes the District Controller of Civil Supplies appointed by the Provincial Government or any other person authorised by the District Magistrate to perform all or any of the functions of the District Magistrate under this Order;

(d) "Form" means a form as set forth in the Schedule to this Order;

(e) "importer" means a person who imports cocoanut oil into the province of Bengal for sale and has been granted a license under the provisions of clause (a) of sub-paragraph (1) of paragraph 5 of this Order;

(f) "permit-holder" means a person who has been granted a permit under the provisions of paragraph 7 of this Order;

- (g) "retail dealer" means a person who has been granted a licence under the provisions of paragraph 6 of this Order;
- (h) "wholesale dealer" means a person who has been granted a licence under the provisions of clause (b) of sub-paragraph (1) of paragraph 5 of this Order.

3. With effect from the date on which this Order comes into force in any area, no person other than the limited company known as Tata Oil Mills Company, Limited, of 45, Syed Ameer Ali Avenue, Calcutta, shall import cocoanut oil for sale into, or carry on trade in cocoanut oil in, such area unless he is in possession of a valid license issued under clause (a) of sub-paragraph (1) of paragraph 5 or clause (b) of that sub-paragraph or paragraph 6 of this Order authorising him to import cocoanut oil for sale and to carry on trade in cocoanut oil as a wholesale dealer or to carry on trade in cocoanut oil as a wholesale dealer or retail dealer, as the case may be.

4. Every person carrying on trade in cocoanut oil in any area immediately before the commencement of this Order in such area shall within seven days from the date of such commencement submit to the Director-General a true return of stocks of cocoanut oil in his possession or under his control on such date.

5. (1) The Director-General in Calcutta and the District Magistrate elsewhere may on application made to him in this behalf grant a license to any person authorising him either,—

- (a) to import cocoanut oil into Bengal for sale and to carry on trade in cocoanut oil as a wholesale dealer; or
- (b) to carry on trade in cocoanut oil as a wholesale dealer.

(2) A license granted under sub-paragraph (1) shall be in Form A.

(3) An importer or a wholesale dealer shall not sell or otherwise transfer cocoanut oil to any person other than a retail dealer to whom a license has been granted under paragraph 6 or to a person to whom a permit has been issued under paragraph 7.

6. The Director-General in Calcutta and the District Magistrate elsewhere may on application made to him in this behalf grant a license which shall be in Form B to any person authorising him to carry on trade in cocoanut oil as a retail dealer.

7. The Director-General in Calcutta and the District Magistrate elsewhere may on application made to him in this behalf issue permits to such manufacturers of soap, hair oil perfumers and other consumers of cocoanut oil as are in the opinion of the Director-General or the District Magistrate, as the case may be, essential consumers of cocoanut oil authorising such consumers to obtain specified quantities of cocoanut oil from specified importers or wholesale dealers.

8. Every person importing cocoanut oil into Bengal for sale shall submit a true declaration to the Director of Consumer Goods, Bengal, of all cocoanut oil imported by him immediately on arrival at its initial destination in Bengal of such cocoanut oil either by land or by water and shall not sell or otherwise transfer such cocoanut oil without the previous permission in writing of the said Director and except in accordance with any directions issued under paragraph 11.

9. No consignment or any part thereof of cocoanut oil arriving at any railway or steamer stations in any area in which this Order is in force shall be delivered to the consignee or to anybody else unless such delivery is

authorised by an endorsement in writing to this effect made by the Director-General in Calcutta and the District Magistrate elsewhere on the railway or steamer receipt under which such consignment or part thereof is deliverable.

10. (1) No license or permit shall be granted under this Order except on payment by the applicant for the license or permit of such fee as may be specified by the Provincial Government under sub-paragraph (2).

(2) The Provincial Government may, by notification in the *Official Gazette*, specify—

- (a) the fee to be charged for the grant of any license or permit under this Order, and
- (b) the manner in which such fees shall be paid, and the fees so specified may be different for different types or classes of licenses or permits.

11. (1) Every importer, every wholesale dealer and every retail dealer shall comply with the provisions of this Order and with such conditions as may be specified in the license issued to him and also with such directions as may from time to time be given to him by the Director-General or the District Magistrate, as the case may be, by special or general order for the purpose of securing compliance with the provisions of this Order.

(2) Without prejudice to the generality of the powers conferred by sub-paragraph (1), such directions may, subject to the provisions of this Order, provide for—

- (a) the manner in which application for licenses under this Order shall be made;
- (b) (i) the manner in which an importer or wholesale dealer shall dispose of the stock of cocoanut oil received by or released to him;
- (ii) the manner in which a retail dealer shall dispose of his stock of cocoanut oil;
- (c) the quantity of cocoanut oil which a retail dealer may purchase during a specified period of time from an importer or a wholesale dealer;
- (d) the maximum quantity of cocoanut oil which may be sold by a retail dealer to a purchaser in one transaction or during a specified period of time;
- (e) the accounts and registers which shall be maintained by an importer, wholesale dealer or retail dealer and the returns or reports which shall be submitted by each.

12. Without prejudice to any other action that may lawfully be taken against a holder of a license or a permit, the Director-General in Calcutta and the District Magistrate elsewhere may—

- (a) suspend or cancel a license granted by him under paragraph 5 or paragraph 6—
- (i) if the Director-General or the District Magistrate is of opinion that the licensee has contravened any of the provisions of this Order, or any of the conditions specified in the license granted to him or any direction given to him under the provisions of paragraph 11 of this Order, or
- (ii) for any other sufficient reason to be recorded in writing;
- (b) for reasons to be recorded in writing suspend or cancel a permit issued by him under paragraph 7.

**Explanation.**—For the purpose of this paragraph the licensee or permit-holder shall be deemed to be responsible for the acts and commissions of his employees.

13. The Director-General or the District Magistrate may with a view to securing compliance with this Order—

- (a) enter upon and inspect any premises in which he has reason to believe that any cocoanut oil is being possessed or held in contravention of the provisions of this Order;
- (b) enter and inspect the premises of any importer, wholesale dealer or retail dealer for the purpose of ascertaining if the provisions of this Order, the conditions and the license and the directions of the Director-General or the District Magistrate, as the case may be, are being complied with;
- (c) require any person to give any information in his possession with respect to any business carried on by that or any other person;
- (d) inspect or cause to be inspected any books or other documents belonging to or under the control of any person.

14. A Court trying any contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any cocoanut oil together with the packages and containers thereof in respect of which it is satisfied that such contravention has occurred, shall be forfeited to His Majesty.

### The Schedule.

#### FORM A.

[See paragraph 5 (1).]

License No.....

*License for an Importer or Wholesale Dealer.*

[Under clause (a)/(b) of sub-paragraph (1) of paragraph 5 of the Bengal Cocoanut Oil Control Order, 1945.]

Subject to the provisions of the Bengal Cocoanut Oil Control Order, 1945, and to the conditions of this license—

.....(Name)  
of..... (Address)  
is/are hereby authorised to import cocoanut oil into Bengal for sale and to carry on trade in cocoanut oil as a wholesale dealer/to carry on trade in cocoanut oil as a wholesale dealer.

*Director-General of Civil Supplies,  
Consumer Goods.*

*District Magistrate.*

Date.....

#### Conditions.

1. The licensee (if he is an importer) shall submit a true declaration of all cocoanut oil imported by him into Bengal for sale immediately on arrival at its initial destination in Bengal of such cocoanut oil either by

land or by water to the Director of Consumer Goods, Department of Civil Supplies, Bengal, and shall not sell or otherwise transfer such cocoanut oil without the previous permission in writing of the said Director and except in accordance with any directions issued under paragraph 11 of the Bengal Cocoanut Oil Control Order, 1945.

2. The licensee shall not sell cocoanut oil to any person other than a retail dealer holding a license under paragraph 6 of the Bengal Cocoanut Oil Control Order, 1945, or a person to whom a permit has been issued under paragraph 7 of the said Order.

3. The licensee shall not without special instructions from the Director-General or the District Magistrate sell cocoanut oil to licensed retail dealers or holders of permit except those who are specifically linked to him by the Director-General or the District Magistrate, as the case may be.

4. As long as the licensee has stocks of cocoanut oil released to him for a particular period, left in his possession, he shall not during that period refuse to sell to those licensed dealers or holders of permits who are linked to him.

5. The licensee, whenever he makes a sale, shall enter the name and address of his firm, the date of sale and the quantity of cocoanut oil sold, on the back of the license or the permit of the purchaser and shall sign such entries.

6. (a) The licensee shall maintain daily accounts in registers prescribed by the Director-General.

(b) The licensee shall submit to the Director-General in Calcutta or the District Magistrate elsewhere a monthly abstract of the registers in such form as may be specified by the Director-General.

(c) The licensee shall allow his accounts to be inspected at all times by the Director-General or the District Magistrate or by officers authorised in this behalf under the Bengal Cocoanut Oil Control Order, 1945.

7. The licensee shall issue to every purchaser of cocoanut oil a correct cash memorandum and shall keep a duplicate thereof.

8. The licensee shall not charge for cocoanut oil, either in bulk or packed in tins, prices higher than the wholesale prices fixed by the Provincial Government from time to time exclusive of any tax or charge which may lawfully be levied under any law for the time being in force.

9. The licensee shall exhibit in a conspicuous position in front of his depot a board stating—

(a) the fact that he is a licensed wholesale dealer or importer;

(b) the maximum wholesale prices of cocoanut oil fixed by the Provincial Government.

10. The licensee shall sell to licensed retail dealers or holders of permit, the full quantity of cocoanut oil shown on the dealer's license or the permit (subject to stocks being available) and shall not sell to such dealer or permit-holder any quantity in excess of this quota.

11. The licensee shall sell in full drums, equivalent to Md. srs.

12. The licensee shall comply with the provisions of the Bengal Cocoanut Oil Control Order, 1945, and all general or special orders issued under that Order.

**FORM B.**

[See paragraph 6.]

*License for a Retail Dealer.*

License No.....

Area.....

(Under paragraph 6 of the Bengal Cocoanut Oil Control Order, 1945.)

Subject to the provisions of the Bengal Cocoanut Oil Control Order, 1945, and to the conditions of this license—

.....(Name)  
 of.....(Address)  
 is/are hereby authorised to carry on trade in cocoanut oil as a retail dealer  
 at.....

*Director-General of Civil Supplies,  
 Consumer Goods.*  


---

*District Magistrate.*

Date.....

**Conditions.**

1. The licensee, shall not, unless specially authorised in writing to do so by the Director-General of Consumer Goods, in Calcutta or the District Magistrate elsewhere, purchase cocoanut oil from any importer or wholesale dealer other than the one specified in writing by the Director-General/District Magistrate.

2. The licensee shall not sell cocoanut oil to (a) an importer or wholesale dealer, (b) another retail dealer, unless specifically directed to do so by a general or special order in writing issued by the Director-General of Consumer Goods in Calcutta or the District Magistrate elsewhere.

3. The licensee shall not sell more than a standard bottle of 22 oz. as certified by Government/.....Chataks of cocoanut oil to any purchaser in a single transaction unless specially authorised by the Director-General or the District Magistrate to do so.

4. The licensee shall (a) maintain daily accounts of receipts and sales of cocoanut oil in registers prescribed by the Director-General and (b) allow his accounts to be inspected at all times by the Director-General or by the District Magistrate or by officers authorised in this behalf under the Bengal Cocoanut Oil Control Order, 1945.

5. The licensee shall issue to every purchaser of cocoanut oil a correct cash memorandum and shall keep a duplicate thereof.

6. The licensee shall levy no charges other than the retail price for the cocoanut oil fixed by the Director-General in Calcutta and the District Magistrate elsewhere except any tax on sale of goods which may lawfully be levied under any law for the time being in force.

7. The licensee shall sell cocoanut oil only from the premises mentioned in the license and from no other place.

8. The licensee shall exhibit in a conspicuous position in front of his shop a board stating—

(a) the fact that he is a licensed dealer, and

(b) the maximum retail prices of cocoanut oil fixed by the Provincial Government.



9. When purchasing cocoanut oil from a wholesale dealer or importer the licensee must produce this license and allow the wholesale dealer or importer to enter on its back the particulars specified thereon.

10. As long as the licensee has stock of cocoanut oil left in his possession he shall not refuse to sell cocoanut oil to any intending purchaser.

11. The license shall deliver to the purchaser correct quantities of the cocoanut oil purchased with the help of accurate measures.

12. The licensee shall comply with all the provisions of the Bengal Cocoanut Oil Control Order, 1945, as well as with all special or general orders issued under the said Order.

---

Date of sale.	Quantity of cacaoanut oil sold.	Name and address of the wholesale dealer or importer with depot No.	Signature of each wholesale dealer or importer.
---------------	---------------------------------	---	---

---

### FORM C.

[See paragraph 7.]

No....., dated Calcutta, the.....

#### *Permit.*

Under paragraph 7 of the Bengal Cocoanut Oil Control Order, 1945, I hereby authorise Messrs./Mr.....to obtain a supply of.....mds./srs./tins of cocoanut oil from Messrs./Mr.....on the following conditions (the breach of which will render this permit liable to cancellation):—

- (i) The permit-holder shall maintain a true account of all cocoanut oil received by him under this permit.
- (ii) The permit-holder shall allow his accounts to be inspected at all times by the Director-General or by the District Magistrate or by officers authorised in this behalf under the Bengal Cocoanut Oil Control Order, 1945.
- (iii) The permit-holder shall not, unless specifically authorised to do so by the Director-General, Consumer Goods, Department of Civil Supplies, Bengal, sell any quantity of the cocoanut oil acquired by him under this permit.

*Director-General of Civil Supplies,  
Consumer Goods.*

*District Magistrate.*

*Notification No. 8592D.C.S., dated the 19th June, 1945 (published in the "Calcutta Gazette" of the 21st June, 1945, Pt. I, p. 1081).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 10 of the Bengal Cocoanut Oil Control Order, 1945, the Governor is pleased to specify the following fees which are to be paid for the grant of licenses and permits under the said Order, namely:—

(a) For a license under paragraph 5—

- (i) when the license is for carrying on trade in cocoanut oil in Calcutta—Rs. 15 annually.

- (ii) when the license is for carrying on trade in cocoanut oil elsewhere—Rs. 5 annually.
- (b) for a license under paragraph 6—Re. 1 annually.
- (c) for a permit under paragraph 7—At the rate of Rs. 3 for each 5 tons or part thereof of cocoanut oil allotted under the permit subject to a maximum of Rs. 15 in a year.

*Notification No. 1056D.C.S., dated the 21st January, 1946 (published in the "Calcutta Gazette" of the 31st January, 1946, Pt. I, p. 267).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all orders on the subject, the Governor is pleased to direct that the maximum prices of Cocoanut Oil in the areas specified in column 1 of the table below, shall, with effect from the date of publication of this Order, in the *Calcutta Gazette*, be as specified in the corresponding entries in column 2 of the table, and with reference to sub-rule (1) of rule 119 of the said rules, the Governor is further pleased to direct that the notice of this Order shall be given by the publication of this Order in the *Calcutta Gazette*:—

Areas.	Prices.
1	2
The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	(i) (a) Wholesale at Rs. 44 per maund, <i>ex</i> -Calcutta godown (with containers); (b) at Rs. 42-8 per maund, <i>ex</i> -Calcutta godown (without containers).
Elsewhere in Bengal	(ii) Retail at Re. 1-3-6 per seer. (i) Wholesale at Rs. 50 per maund, <i>ex</i> -godown (without containers). (ii) Retail at Re. 1-6 per seer.

*Explanation.*—The above prices are exclusive of Bengal Sales Tax which may be charged extra.

*Notification No. 3174D.C.S., dated the 26th March, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 2nd April, 1945, p. 75).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### Order.

1. (1) This Order may be called the Bengal Mustard Oil Control Order, 1945.

(2) It shall come into force at once in the areas specified in Schedule I to this Order.

(3) The Provincial Government may, by notification in the *Official Gazette*, direct that this Order shall come into force in such other area or areas on such date or dates as may be specified in the notification.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "adulterant" means any substance whatever except mustard oil;

- (b) "bye-product" means any bye-product of the manufacture of mustard oil and includes oilcake;
- (c) "Director-General" means the Director-General of Food in the Department of Civil Supplies, Government of Bengal, and includes any person authorised by the said Director-General to perform all or any of the functions of the Director-General under this Order;
- (d) "District Magistrate" includes the District Controller of Civil Supplies or any other person authorised by the District Magistrate to perform all or any of the functions of the District Magistrate under this Order;
- (e) "miller" means the owner, manager or other person in charge or control of any manufactory or business in which mustard oil is manufactured—
  - (i) by the use of mechanically transmitted energy, or
  - (ii) by the operation of not less than two *ghanis* with the aid of animal or manual power;
- (f) "mustard oil" means oil manufactured by any process of crushing any of the varieties of mustard or rape seeds specified in Schedule II to this Order;
- (g) "retailer" means a person who sells mustard oil directly to consumers and not for the purpose of re-sale; and
- (h) "wholesaler" means a person who sells mustard oil to a retailer or another wholesaler for the purpose of re-sale, and includes a miller.

3. Every miller who was manufacturing mustard oil before the commencement of this Order in the areas specified in Schedule I to this Order shall, before the 30th day of April, 1945, apply for a license to manufacture such mustard oil and, after the expiry of fifteen days from the said date or from the date on which this Order comes into force in any area whichever is later, no miller shall manufacture mustard oil in such area, except under and in accordance with the conditions of a license issued under paragraph 4.

3A. Subject to the provisions of paragraph 3, as long as any mustard or rape seed is available to any miller at a price not exceeding the maximum price thereof fixed by Government, such miller shall, unless specifically exempted from the provisions of this paragraph by order in writing by the Director-General, continue to manufacture mustard oil from the mustard or rape seed so available.

4. (1) The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may on application being made to him by a miller, grant a licence to such miller authorising him to manufacture mustard oil in accordance with the conditions of such licence.

(2) Every licence granted under sub-paragraph (1) shall—

- (a) be in Form A appended to this Order,
- (b) specify the maximum monthly quota of mustard or rape seed which the miller may acquire by purchase or otherwise and use for the manufacture of mustard oil,
- (c) specify the place or places at which the miller may manufacture mustard oil, and
- (d) contain such other conditions as the Director-General or the District Magistrate, as the case may be, may from time to time direct.

5. (1) Every wholesaler who was carrying on the business of selling mustard oil before the commencement of this Order in the areas specified in Schedule I to this Order shall, before the 30th day of April, 1945, apply for a license to carry on the business of selling mustard oil and, after the expiry of fifteen days from the said date or from the date on which this Order comes into force in any area whichever is later, no wholesaler shall carry on the business of selling mustard oil in such area, except under and in accordance with the conditions of a licence issued under sub-paragraph (2).

(2) The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may on application being made to him by a wholesaler grant a license to such wholesaler authorising him to carry on the business of selling mustard oil as a wholesaler.

(3) A license granted under sub-paragraph (2) shall be in form B appended to this Order and shall contain such conditions as the Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may from time to time by order direct.

6. (1) The Director-General in the areas specified in Schedule I and the District Magistrate in any other area may by order direct that no retailer shall, with effect from a date to be specified in such order, being not sooner than twenty-one days after the date of the order, carry on the business of selling mustard oil in such areas or area or part of such areas or area except under and in accordance with the conditions of a licence granted under sub-paragraph (2) of this Order, and thereupon, after the date so specified, no retailer shall carry on the business of selling mustard oil in such areas or area or part of such areas or area, as the case may be, except under and in accordance with the provisions of such a licence.

(2) The Director-General in the areas specified in Schedule I and the District Magistrate elsewhere may, on application being made to him by a retailer, grant a licence to such retailer authorising him to carry on the business of selling mustard oil as such retailer.

(3) A licence granted under sub-paragraph (2) shall be in Form C appended to this Order and shall contain such conditions as the Director-General in the areas specified in Schedule I and the District Magistrate elsewhere may from time to time by order direct.

7. (1) No licence shall be granted under this Order except on payment by the applicant for the licence at the time of making application therefor of such fee as may be specified by the Provincial Government under sub-paragraph (2) and every such licence shall be valid for one year only from the date of its issue, but shall be renewable each year for a further period of one year on payment by the licensee at the time of making the application for renewal of the fee specified in this behalf by the Provincial Government under the said sub-paragraph.

(2) The Provincial Government may from time to time by notification in the *Official Gazette* specify the fee which may be charged for the grant or renewal of any licence under this Order, and the fee so specified may be different for different types of licences.

8. The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may by order in writing require any wholesaler or retailer to sell such quantity or quantities of mustard oil, or of any bye-product, to such person or persons and at such price or prices as may be specified in the order; and the wholesaler or the retailer, as the case may be, shall comply with such order.

9. (1) With effect from such date as may be notified by the Provincial Government in this behalf in the *Official Gazette*, no wholesaler shall deliver or cause to be delivered, any mustard oil to any person in pursuance of any contract of sale or otherwise without a Delivery Order in writing in respect of such mustard oil issued by the Director-General in areas specified in Schedule I to this Order and by the District Magistrate elsewhere.

(2) The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may, on application being made to him by a wholesaler, in his discretion issue to such wholesaler a Delivery Order.

10. (1) The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may, from time to time, issue such general or special directions for giving effect to the provisions of this Order as he may deem necessary.

(2) Without prejudice to the generality of the power conferred by subparagraph (1), such directions may, subject to the provisions of this Order, provide for,—

- (a) the manner in which applications for licences under this Order shall be made and the fees for such licences shall be paid;
- (b) the accounts and registers which shall be maintained and the returns and reports which shall be submitted by a miller, wholesaler or retailer.

11. Every miller, every wholesaler and every retailer shall comply with all such conditions as may be specified in the licence granted to him under paragraph 4, paragraph 5 or paragraph 6, as the case may be, and also with all such general and special directions as may be issued under paragraph 10.

12. Without prejudice to any other action that may lawfully be taken against a licensee, the Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may cancel or suspend a licence granted by him under paragraph 4, paragraph 5 or paragraph 6, as the case may be,—

- (a) if the said Director-General or the District Magistrate respectively, is of opinion that the licensee has contravened any of the provisions of this Order, or any of the conditions specified in the licence granted to him or any direction given to him under the provisions of paragraph 10, or
- (b) for any other sufficient reason to be recorded in writing.

13. The Director-General in the areas specified in Schedule I to this Order and the District Magistrate elsewhere may, with a view to securing compliance with this Order—

- (a) enter and inspect the premises of any miller, wholesaler or retailer for the purpose of ascertaining if the provisions of this Order, the conditions of the licence, or the directions of the Director-General or the District Magistrate as the case may be, are being complied with;
- (b) inspect or cause to be inspected any book, account or any other documents belonging to or under the control of any person or verify the stocks of any miller, wholesaler or retailer;
- (c) take and remove samples of mustard oil or any other substance found on the premises of any miller, wholesaler or retailer;

(d) require a miller, wholesaler or a retailer to furnish any information relating to the sale and purchase of mustard or rape seed or mustard oil or any bye-product by such miller or of the sale and purchase of any mustard oil by such wholesaler or retailer and to produce before the Director-General or the District Magistrate any accounts, registers, vouchers or other documents maintained in connection with such sale or purchase;

and the miller, wholesaler or retailer shall permit, and give every facility to, the Director-General or the District Magistrate, as the case may be, to carry out any or all of these functions as and when so required.

14. No person shall sell or offer for sale or cause to be sold or to be offered for sale as mustard oil any oil which has not been manufactured from one or more of the varieties of mustard or rape seed specified in Schedule II to this Order or which contains any admixture of any oil not so manufactured.

15. If any person makes any false declaration regarding any matter in respect of which he is required under this Order to give information or otherwise contravenes the provisions of this Order, he shall be punishable under sub-rule (4) of rule 81 of the Defence of India Rules, with imprisonment for a term which may extend to three years or with fine or with both, and any Court trying any offence under this Order shall direct that any mustard or rape seed or mustard oil or bye-product together with the packages and containers thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing the Court is of opinion that the direction should not be made in respect of the whole or as the case may be, a part of the property.

#### Schedule I.

[See paragraph 1 (2).]

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and

(4) the municipalities of Howrah and Bally-Belur in the district of Howrah.

#### Schedule II.

[See paragraph 2 (f).]

*Varieties of mustard or rape seed.*

- |                           |                     |
|---------------------------|---------------------|
| (i) Sarson.               | (ix) Rai.           |
| (ii) Pili sarson.         | (x) Rawa.           |
| (iii) Lal sarson.         | (xi) Tora.          |
| (iv) Lotni.               | (xii) Gajar sarson. |
| (v) Lahi.                 | (xiii) Galbalia.    |
| (vi) Maghi lahia or lahi. | (xiv) Toria.        |
| (vii) Laha.               | (xv) Kajli.         |
| (viii) Lahta.             |                     |

*Explanation.*—In botanical nomenclature, the above seeds are included within the following groups:—

*Brassica Campestris, Brassica Napur, Brassica Juncea and Eruca Sativa.*

## GOVERNMENT OF BENGAL.

Department of Civil Supplies, Calcutta.

Licence No.....

### Form A.

*Licence for a Miller.*

(Under paragraph 4 of the Bengal Mustard Oil Control Order, 1945.)

1. Subject to the provisions of the Bengal Mustard Oil Control Order, 1945, and to the terms and conditions of this licence—

Name.....

Address.....

at.....

is hereby authorised to manufacture mustard oil at his mill named.....

.....at....., police-station....., Ward

.....in accordance with the conditions set out below, and for this purpose, he is allowed to acquire by purchase or otherwise and use

for the manufacture of mustard oil not more than.....

maunds of mustard and rape seed in any calendar month.

2. This licence shall be valid for one year with effect from.....

*Deputy/Assistant Director of Supply,  
Department of Civil Supplies/District Magistrate.*

Dated.....

(For terms and conditions of the licence see below.)

### Conditions.

1. The licensee shall maintain daily accounts of production and disposal of mustard oil and oil cake, as well as purchase, stock and consumption of mustard and rape seeds in such form as may be specified by order in writing by the Director-General.

2. The licensee shall submit to the Director-General or to such person as may be authorised by him in this behalf on Monday each week a return in such form as may be specified by the Director-General showing:—

(a) his stock of mustard and rape seed, mustard oil and oilcake at the beginning of the preceding week,

(b) the particulars of his production and sale of mustard oil and oilcake, as well as the quantities of mustard and rape seed purchased during such week,

(c) the balance in stock of such mustard and rape seed, and mustard oil and oilcake at the end of such week.

3. The licensee shall not mix or permit to be mixed with any mustard oil during or after manufacture any adulterant.

4. The licensee shall not refuse to manufacture mustard oil as long as he has mustard or rape seed in his possession.

5. The licensee shall not in the capacity as a wholesaler charge for mustard oil or oilcake prices higher than the maximum ex-mill price fixed by the Director-General/District Magistrate from time to time.

6. The licensee shall exhibit in a conspicuous position in front of his mill a board stating—

(a) the fact that he is a licensed miller, and

(b) the schedule of maximum prices of mustard oil and oilcake fixed by the Director-General/District Magistrate.

7. The licensee shall not without the approval of the Director-General/District Magistrate acquire by purchase or otherwise and use for manufacture within a calendar month a quantity of mustard or rape seed larger than the quota specified in the licence.

8. The licensee shall not without the previous permission of the Director-General/District Magistrate in writing acquire by purchase or otherwise and use for the manufacture of any oil or any other substance except the varieties of mustard and rape seeds specified in Schedule II.

9. The licensee shall give all facilities at all reasonable times to the Director-General/District Magistrate or any person authorised by him in this behalf for the inspection of his stocks and accounts and for taking samples of mustard oil or any other substance in his mill.

10. The licensee shall comply with all directions that may from time to time be given to him by the Director-General/District Magistrate.

## GOVERNMENT OF BENGAL.

### Department of Civil Supplies, Calcutta.

Licence No.....

#### Form B.

#### *Licence for a Wholesaler.*

(Under paragraph 5 of the Bengal Mustard Oil Control Order, 1945.)

1. Subject to the provisions of the Bengal Mustard Oil Control Order, 1945, and to the conditions of this licence—

Name.....

Address.....

is hereby authorised to carry on the business of selling mustard oil as a wholesaler at his place of business under the name of.....

.....at.....  
police-station....., Ward.....

2. The licensee shall sell the oil produced by.....  
.....Mill/Mills only.

3. The licence shall be valid for one year with effect from.....

*Deputy/Assistant Director of Supply,  
Department of Civil Supplies/District Magistrate.*

Date.....

(For terms and conditions of the licence see overleaf.)



**Conditions.**

1. The licensee shall maintain daily accounts of receipts, sales and stock of mustard oil in such form as may be specified by the Director-General/District Magistrate.

2. The licensee shall submit to the Director General/District Magistrate on Monday in each week a return in such form as may be specified by the Director-General/District Magistrate showing his receipts as well as disposal by sale or otherwise of mustard oil during the preceding week.

3. The licensee shall grant a printed and signed cash memo. for every sale made by him showing the quantity of oil sold, price charged for it and the name and address of the buyer. He shall retain a carbon copy of each cash memo.

4. The licensee shall not sell mustard oil from any premises other than the premises specified in the licence.

5. The licensee shall exhibit in a conspicuous position in front of his shop a board showing—

(a) the fact that he is a licensed wholesaler,

(b) the schedule of maximum prices of mustard oil fixed by the Director-General/District Magistrate.

6. The licensee shall not mix or permit to be mixed with any mustard oil in his possession any adulterant.

7. Subject to the provisions of paragraphs 8 and 9 of the Order, the licensee shall not refuse to sell oil to any intending purchaser so long as he has any stock of oil in his possession.

8. The licensee shall not charge for mustard oil a price higher than the maximum price fixed by the Director-General/District Magistrate from time to time.

9. The licensee shall sell correctly measured quantities of mustard oil by the use of an accurate measure.

10. The licensee shall not sell mustard oil to any miller.

11. The licensee shall give all facilities at all reasonable times to the Director-General/District Magistrate or any person authorised by him in this behalf for the inspection of his stocks and accounts and for taking samples of mustard oil.

12. The licensee shall comply with all directions that may be given to him from time to time by the Director-General/District Magistrate.

**GOVERNMENT OF BENGAL.****Department of Civil Supplies, Calcutta.**

*Licence No.*.....

**Form C.***Licence for a Retailer.*

(Under paragraph 6 of the Bengal Mustard Oil Control Order, 1945.)

1. Subject to the provisions of the Bengal Mustard Oil Control Order, 1945, and to the conditions of this licence—

Name.....

Address.....

is hereby authorised to carry on the business of selling mustard oil as a retailer at his place of business under the name of.....  
 .....at.....  
 police-station....., Ward.....

2. This licence shall be valid for one year with effect from.....

*Chief Inspector,  
 Department of Civil Supplies, Bengal/  
 District Magistrate.*

Dated.....

(For terms and conditions of the licence see below.)

### Conditions.

1. The licensee shall maintain daily accounts of receipts, sales and stock of mustard oil in such form as may be specified by the Director-General/District Magistrate.

2. The licensee shall submit to the Director-General/District Magistrate on 1st and 16th of each month a return showing his receipts as well as his disposal by sale or otherwise of mustard oil during the preceding fortnight in such form as may be specified by the Director-General/District Magistrate.

3. The licensee shall grant a signed cash memo. for every sale showing the quantity of oil sold and the price charged for it.

4. The licensee shall not sell mustard oil from any place other than the premises specified in the licence.

5. The licensee shall exhibit in a conspicuous position in front of his shop a board showing—

(a) the fact that he is a licensed retailer, and

(b) the schedule of maximum prices of mustard oil fixed by Director-General/District Magistrate.

6. The licensee shall not mix or permit to be mixed with any mustard oil in his possession any adulterant.

7. Subject to any direction issued under the order by the Director-General/District Magistrate with regard to sales to individuals, the licensee shall not refuse to sell oil to any intending purchaser so long as he has any stock of mustard oil in his possession.

8. The licensee shall not charge for mustard oil a price higher than the maximum retail price fixed by the Director-General/District Magistrate from time to time.

9. The licensee shall not sell mustard oil to any miller or to any wholesaler.

10. The licensee shall sell correctly measured quantities of mustard oil by use of an accurate measure.

11. The licensee shall give all facilities at all reasonable times to the Director-General/District Magistrate or any person authorised by him in this behalf for the inspection of his stock and accounts and for taking samples of mustard oil.

12. The licensee shall comply with all directions that may be given to him from time to time by the Director-General/District Magistrate.

*Notification No. 14599 D.C.S., dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 13th December, 1945, Pt. I, p. 2099).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174 D.C.S., dated the 26th March 1945, the Governor is pleased to direct that the said order shall come into force in the district of Chittagong with effect from the date of publication of this notification in the *Calcutta Gazette*.

*Notification No. 3238 D.C.S., dated the 28th March, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 2nd April, 1945, p. 78).*

Under sub-paragraph (c) of paragraph 2 of the Bengal Mustard Oil Control Order, 1945, I hereby authorise the officers mentioned in column 2 of the table below to perform the functions of the Director-General under the provisions of the said Order specified in the corresponding entries in column 1 of that table:—

Functions. 1	Officers. 2
1. Licensing millers and wholesalers under paragraphs 4 and 5.	Deputy Director of Supply and Assistant Director of Supply, in charge of edible oils.
2. Licensing of retailers under paragraph 6.	Chief Inspector of Civil Supplies under the Directorate of Supply.
3. Issuing Delivery Orders under paragraphs 8 and 9.	Deputy Director of Supply and Assistant Director of Supply, in charge of edible oils.
4. Issuing general or special directions under paragraph 10.	Deputy Director of Supply, in charge of edible oils.
5. Suspension or cancellation of licences under paragraph 12.	Deputy Director of Supply, in charge of edible oils.
6. Entering and inspection of premises, inspection of books, taking samples and requiring a licensee to furnish information under paragraph 13.	(a) All gazetted officers, (b) all police officers not below the rank of an officer in charge of a police-station, (c) all Chief Inspectors, Inspectors and Sub-Inspectors under the Directorate of Supply.

*Notification No. 9444 D.C.S., dated the 11th July, 1946 (published in the "Calcutta Gazette" of the 11th July, 1945, Pt. I, p. 1204).*

In exercise of the power conferred by clause (c) of paragraph 2 of the Bengal Mustard Oil Control Order, 1945, I hereby authorise all Officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector in the areas specified in Schedule I to the said order to perform the functions conferred on the Director-General by paragraph 13 of the said Order in the said areas.

*Notification No. 11595 D.C.S., dated the 11th September, 1945 (published in the "Calcutta Gazette" of the 13th September, 1945, Pt. I, p. 1496).*

In exercise of the power conferred on me by clause (c) of paragraph 2 of the Bengal Mustard Oil Control Order, 1945, I hereby authorise the

Director of Agriculture, Bengal, to perform the following function of the Director-General under paragraph 8 of the said Order in the areas specified in Schedule I to that Order, namely, to require by order in writing any wholesaler or retailer to sell such quantity or quantities of oilcake derived as a bye-product of the manufacture of mustard oil to such person or persons and at such price or prices as may be specified in the order.

*Notification No. 3454 D.C.S., dated the 2nd April, 1945 (published in the "Calcutta Gazette" of the 5th April, 1945, Pt. I, p. 588).*

In exercise of the power conferred by sub-paragraph (2) of paragraph 7 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March, 1945, the Governor is pleased to direct that the fees to be charged for the grant of the different classes of licenses mentioned in column 1 of the table below shall be such as are specified in the corresponding entries in column 2 of that table—

Licences. 1	Fees. 2
Licence for a miller (under paragraph 4 of the Order).	A fee of Rs. 2 per <i>ghani</i> up to a maximum of Rs. 500. <i>Explanation.</i> —For the purpose of assessment of this fee one expeller shall be considered to be equivalent to thirty-six <i>ghanis</i> .
Licence for a wholesaler (under paragraph 5 of the Order).	Rs. 25, where the monthly turnover of the wholesaler is less than 1,000 maunds and Rs. 75, where the monthly turnover of the wholesaler is 1,000 maunds and above.
Licence for a retailer (under paragraph 6 of the Order).	Rs. 10.

*Notification No. 3372 F.G., (Dist.) M., dated the 16th April, 1945 (published in the "Calcutta Gazette" of the 19th April, 1945, Pt. I, p. 338).*

In exercise of the power conferred by clause (a) of sub-paragraph (2) of paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March, 1945, read with notification No. 3238D.C.S., dated the 28th March, 1945, I hereby direct that all applications for licences under the said Order by millers, wholesalers and retailers in the areas specified in Schedule I to the said Order shall be made in the form specified below—

### FORM OF APPLICATION FOR LICENCE.

*(Strike out the words that are not applicable.)*

**Application for the grant of a licence as miller/wholesaler/retailer under the Bengal Mustard Oil Control Order, 1945.**

1. Applicant's name.....
- Residential address.....
- police-station....., Ward.

3. Address of places at which the applicant carries on business as miller/  
wholesaler/retailer....., Ward.....  
police-station.....
4. Name of the mill/depot/shop.....
5. Particulars:—

*To be filled up by a Miller.*

Number of *ghanies* and expellers in working order on date of application  
.....

Power used.....

Maximum crushing capacity per month (in terms of seed).....

Actual monthly average crushing in the year 1944 (in terms of seed).  
.....

Storage godown capacity in terms of maunds—  
Mustard seed.....  
Mustard oil.....

*To be filled up by an Wholesaler/Retailer.*

Storage capacity in terms of maunds.....

Actual monthly average sale in the year 1944.....

Name of the mill/wholesaler from whom the applicant wants to draw his  
Supply.....

6. How long the applicant is carrying on business as miller/wholesaler/  
retailer.....

I declare that the following quantities of mustard oil/seed are in my  
possession this day and are stored at the places noted against them:—

It is further declared that I am the proprietor/manager of the mill/  
wholesale depot/retail shop, covered by this application. I have carefully  
read the Bengal Mustard Oil Control Order, 1945, and the conditions of the  
licence in Form A/B/C, set forth in the schedule to the said order and I  
agree to abide by them.

(Signature.)

Dated.....194...

Notification No. 11635 D.C.S., dated the 12th September, 1945 (published in the  
"Calcutta Gazette, Extraordinary" of the 13th September, 1945, p. 212).

In exercise of the power conferred by sub-paragraph (1) of paragraph  
9 of the Bengal Mustard Oil Control Order, 1945, issued under notification  
No. 3174 D.C.S., dated 26th March 1945, the Governor is pleased to notify  
the 17th September 1945 to be the date with effect from which no wholesaler  
shall deliver, or cause to be delivered, any mustard oil to any person in

pursuance of any contract of sale or otherwise without a Delivery Order in writing in respect of such mustard oil issued by the Director-General in the areas specified in Schedule I to the said Order:

Provided that nothing in this notification shall prevent an appointed wholesaler from supplying mustard oil to the holder of a ration authority in accordance with the provisions of the Calcutta Industrial Area Rationing Regulations, 1943.

*Explanation.*—In this notification the expressions “appointed wholesaler” and “ration authority” shall have the same meanings as in the Bengal Rationing Order, 1943.

*Notification No. 6601 F.G. (Dist.) M./XXXIX, dated the 28th June, 1945 (published in the “Calcutta Gazette, Extraordinary” of the 30th June, 1945, p. 109).*

In exercise of the powers conferred by sub-paragraph (1) of paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March 1945, read with notification No. 3238D.C.S., dated the 28th March 1945, I hereby direct that with effect from the 1st July 1945, no wholesaler who is also a miller in the areas specified in Schedule I of the said Order, shall deliver or cause to be delivered to any person in pursuance of any contract of sale or otherwise before Friday in any week, any quantity of mustard oil mentioned in column 9 of the Weekly Return in Form I submitted by him (prescribed under notification No. 3453D.C.S., dated the 2nd April 1945), for the week ending on the previous Sunday, without a Delivery Order in writing issued by me or the Assistant Director of Supply (Edible Oils) in respect of such mustard oil.

*Notification No. 7163 F.G. (Dist.) M./LI, dated the 12th July, 1945 (published in the “Calcutta Gazette” of the 19th July, 1945, Pt. I, p. 1205).*

In exercise of the power conferred by clause (1) of paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March 1945, read with notification No. 3238D.C.S., dated the 28th March 1945, I hereby direct that with immediate effect, every miller shall accept at least one-third of the quantity of mustard or rape seeds supplied against the quota mentioned in his licence in the shape of non-UP varieties of seeds, so long as supplies of such seeds are available at the godown at 12, Chandmari Road, Howrah.

*Notification No. 9897 D.C.S., dated the 23rd July, 1945 (published in the “Calcutta Gazette” of the 26th July, 1945, Pt. I, p. 1248).*

In exercise of the powers conferred by paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March 1945, I hereby direct that (a) with immediate effect all millers shall submit to the Director of Agriculture, Bengal, a copy of the Weekly Return in Form I prescribed by notification No. 3453D.C.S., dated the 2nd April 1945, showing the manufacture and disposal of mustard oil and oilcake and (b) with effect from the 23rd July 1945, no miller in areas specified in Schedule I to the said Order shall deliver, or cause to be delivered, any oilcake to any person in pursuance of any contract of sale or otherwise without a Delivery Order in writing in respect of such oilcake issued by the Director of Agriculture, Bengal.

*Notification No. F.S.-Oil-XXXIX, dated the 11th January, 1946 (published in the "Calcutta Gazette" of the 17th January, 1946, Pt. I, p. 189).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March 1945, read with notification No. 3238D.C.S., dated the 28th March 1945, I hereby direct that with effect from the date of publication of this Order in the *Calcutta Gazette* all wholesalers directed under paragraph 8 of the said Order to sell mustard oil to a retailer or another wholesaler outside the area specified in Schedule I to the said Order shall sell such oil loose, whenever the purchaser objects in writing to purchase the oil in a container on the ground that the container in which the oil is offered for sale by the wholesaler is, in the opinion of the purchaser, defective.

*Notification No. 3453D. C. S., dated the 2nd April, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 9th April, 1945, p. 89).*

In exercise of the power conferred by clause (b) of sub-paragraph (2) of paragraph 10 of the Bengal Mustard Oil Control Order, 1945, published under notification No. 3174D.C.S., dated the 26th March 1945, read with notification No. 3238D.C.S., dated the 28th March 1945, I hereby direct that with immediate effect all millers and wholesalers dealing in mustard oil shall submit the returns referred to in paragraph 10 of the said Order in the respective forms attached herewith.

Every miller and wholesaler shall send his weekly returns on every Monday by 5 p.m. addressed to Mr. S. Sen, the Assistant Director of Supply (Edible Oils). In his own interest, the licensee should ensure that the return reaches this office positively by the day and hour fixed.

**Form I.**

*Return showing Manufacture and Disposal of Mustard Oil and Oilcake.*  
[Under paragraph 10(2)(b).]

Name of the Mill.....

**Address.....**

**Licence No.**.....

For the week ending on Sunday, the.....194...

[illegible]

Forwarded to the Deputy Director of Supply, Calcutta/District Magistrate.

Signature.....

Date.....194...

### Form II.

#### Weekly Return of Receipts and Sales of Mustard Oil.

[See paragraph 10(2)(b).]-

Name of the wholesaler.....

Address.....

Licence No.....

Week ending on Sunday, the.....194...

Receipts.			Sales.				
Date.	Name and address of the supplying miller or wholesaler.	Quantities received.	Date.	Name and address of the purchaser.	Number of wholesale or retail licence or delivery order.	Quantity.	Remarks.

Total receipts of the week .. .. .

Stock in hand at the beginning of the week .. .. .

Total sales of the week .. .. . Total .. .. .

Closing balance at the end of the week .. Total .. .. .

Forwarded to the Director of Supply, Calcutta/District Magistrate.

Signature.....

Date.....194..

Notification No. 11253 D.C.S., dated the 1st September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd September, 1945, p. 207).

#### The Bengal Mustard Oil Rationing (Establishments) Preparatory Enquiry Order, 1945.

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

1. (1) This Order may be called the Bengal Mustard Oil Rationing (Establishments) Preparatory Inquiry Order, 1945.



(2) It shall apply to the areas specified in Schedule I and may be extended by the Provincial Government by notification in the *Official Gazette* to such other areas as may be specified in the notification.

2. In this Order—

- (1) "Appointed date" means such date as may be fixed by the Provincial Government in respect of any area;
- (2) "Director" means the Director of Rationing in the Directorate-General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government, and includes the Additional Director of Rationing and Controller of Rationing, Calcutta Industrial Area, in the Directorate-General of Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government;
- (3) "Establishment" has the same meaning as in clause (4) of paragraph 2 of the Bengal Rationing (Establishments) Inquiry Order, 1943;
- (4) "Schedule" means a Schedule appended to this Order.

3. Every person owning or in charge of any establishment in any area specified in Schedule I or in any area to which this Order may subsequently be extended desiring to obtain supply of mustard oil on or after the appointed date for use or consumption by or in such establishment shall, not later than a date fixed by the Director in this behalf for such area, furnish in duplicate to such Officer as may be specified in this behalf by the Director, true and correct information in respect of such establishment in the form specified in Schedule II.

4. For the purpose of verifying any information received under paragraph 3 the person specified by the Director under paragraph 3 or any person authorised in writing by the person so specified may—

- (a) at any time after sunrise and before sunset enter upon and inspect any premises;
- (b) require any person to make any statement or furnish any information or to produce any books, accounts or other documents in his possession or under his control:

Provided that in entering upon and inspecting any premises every such person shall have due regard to the social and religious customs of the persons occupying the premises.

**Schedule I.**

(1) Calcutta as defined in clause (17) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

(2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;

(4) the municipalities of Howrah and Bally in the district of Howrah; and

(5) the *maruza* of the Royal Botanical Garden bearing jurisdiction list No. 4 covered by C.S. khatian No. 5 within police-station Shibpore in the district of Howrah.

**Schedule II.***Form.*

(To be submitted in duplicate.)

1. Name of owner/person in charge.
2. Residence.
3. Name and address of establishment with the name of the A.R.P. sub-area in which the establishment is situated.
4. Kind of establishment.
5. Whether the owner/person in charge has already been appointed an establishment proprietor under the Bengal Rationing Order, 1943; if so, the appointment number.
6. Period for which the establishment has been running.
7. \*Average number of meals served per day  
\*Average sale per week (in quantities) of the product(s) manufactured for which mustard oil is required  
\*Average number of animals [state class of animal(s)] requiring mustard oil per day

during the period from the 1st January 1945 to the 30th June 1945.

\*(Strike out the portion not applicable.)

8. Average quantity of mustard oil required per week during the above period.
9. Quantity of mustard oil in stock on the 1st September 1945.
10. Amount of any monthly allotment of mustard oil at present being received from the Department of Civil Supplies, Bengal.

*Signature of owner/person in charge of the establishment.*

*Date.*

*Notification No. 1134(LL), dated the 1st September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 3rd September, 1945, p. 207).*

In exercise of the powers conferred by paragraph 3 of the Bengal Mustard Oil Rationing (Establishments) Preparatory Inquiry Order, 1945, I hereby—

- (a) specify the Deputy Controller of Rationing (Establishments), Eden Gardens, Calcutta, to be the officer to whom, and
- (b) fix the 7th day of September 1945 as the date not later than which, a person owning or in charge of any establishment in any area specified in Schedule I to the said Order shall furnish under the said paragraph in duplicate true and correct information in respect of such establishment in the form specified in Schedule II to the said Order.

*Notification No. 1211 F.G., dated the 25th September, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 27th September, 1943, p. 171).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Calcutta and Howrah Oilseeds Control Order, 1943.

(2) It extends to Calcutta and the Municipality of Howrah.

(3) It shall come into force at once.

2. In this Order—

- (a) "Calcutta" means the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (b) "dealer" means a person engaged in any undertaking which involves the purchase, sale or storage for sale of oilseeds in quantities exceeding 50 maunds on any one day of the week;
- (c) "oilseeds" mean oilseeds belonging to the mustard and rape seed varieties; and
- (d) "week" means a period of seven days beginning at midnight on Sunday night.

3. Every dealer,—

- (a) shall within seven days of the date of publication of this Order in the *Calcutta Gazette* or within seven days of the date on which after such publication he first becomes subject to the provisions of this Order register with the Director of Civil Supplies, Bengal, the name of such dealer and the address of the place of business of such dealer and the address of all godowns and other premises in which oilseeds are kept stored for sale by such dealer;
- (b) shall whenever any change takes place in the address of the place of business of such dealer or in the address of the godowns and other premises so registered, give intimation of such change within seven days of such change taking place;
- (c) shall maintain in respect of each place of storage a register of daily accounts for oilseeds showing correctly—
  - (i) the opening stock on each day;
  - (ii) the quantities received on each day showing the place of origin;
  - (iii) the quantities delivered or otherwise removed on each day showing the places of destination; and
  - (iv) the closing stock on each day.

4. Every dealer shall submit to the Director of Civil Supplies so as to reach him on the first day of each week a true return in the form annexed to this Order of stocks, receipts and deliveries of oilseeds during the preceding week.

**Form of the weekly return.**

*Return of oilseeds received and delivered during the period.....*

Opening stock.	Amounts received during the period.	Price of each consignment.	Quantities sold or otherwise disposed of during the period.	To whom delivery made.		
				Name.	Address.	Price.
1	2	3	4	5		

*N.B.*—The price in column 3 means the F.O.R. price at the railway station in Calcutta and Howrah from which delivery was taken; or the price ex-ship; if delivery was taken in the Port of Calcutta from a ship.

*Notification No. 184C.S., dated the 9th January, 1943 (published in the "Calcutta Gazette" of the 14th January, 1943, Pt. I, p. 27).*

### ORDER.

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct (1) that no mustard or rape seed shall be moved by any form of conveyance by any person in Calcutta and the industrial area to any place outside the said areas, except under and in accordance with, the conditions of a permit in writing issued by or under the authority of Controller of Civil Supplies, Calcutta (1C, Hare Street), (2) that mustard or rape seed carried in contravention of the above order shall be liable to seizure by such persons and in such manner as the Controller of Civil Supplies, Calcutta, may determine and the mustard or rape seed so seized shall be disposed of in such manner as the said Controller of Civil Supplies, Calcutta, considers expedient, and that the amount of compensation payable for mustard or rape seed so seized and disposed of shall be determined by the said Controller of Civil Supplies, Calcutta, entirely in his discretion.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and
- (2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and Serampore and Sadar subdivisions of the district of Hooghly.

*Notification No. 3774D.C.S., dated the 11th April, 1945 (published in the "Calcutta Gazette" of the 19th April, 1945, Pt. I, p. 338).*

In exercise of the power conferred by the order published under notification No. 2370-O.C., dated the 21st April, 1944, as subsequently amended, I hereby authorise the Deputy Director of Supply, Department of Civil Supplies, Bengal, to issue permits for the movement of groundnuts and groundnut oil from any place inside Bengal to any place outside Bengal.

*Notification No. 11594D.C.S., dated the 11th September, 1945 (published in the "Calcutta Gazette" of the 13th September, 1945, Pt. I, p. 1495).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that with effect from the date of publication of this Order in the *Calcutta Gazette* the maximum retail prices at which oilcake derived as a bye-product of the manufacture of mustard oil as defined in the Bengal Mustard Oil Control Order, 1945, may be sold in the areas specified in the Schedule below shall be Rs. 5-10-0 per maund (with bags) and Rs. 0-2-3 per seer (without bags).

### The Schedule.

- (1) Calcutta as defined in clause (1) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank.
- (2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of the 24-Parganas.

(4) The municipalities of Howrah and Bally in the district of Howrah.

II. With reference to sub-rule (1) of rule 119 of the Defence of India Rules, the Governor is pleased to direct that notice of the aforesaid Order shall be given by publication of the said Order in the *Official Gazette*.

*Notification No. 11634D.C.S., dated the 12th September, 1945 (published in the "Calcutta Gazette, Extraordinary" of the 13th August, 1945, p.212).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders on the subject, the Governor is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by the publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions:—

### Order.

No person shall move or cause to be moved by any form of conveyance any of the commodities mentioned in Schedule I below from any place within the areas specified in Schedule II below to any place outside the said areas except under and in accordance with the conditions of a permit issued in writing by the Director-General, Food, Department of Civil Supplies, Bengal, or by an Officer authorised in this behalf by him.

### Schedule I.

1. Mustard or rape seed.
2. Mustard oil except in consignments of 1 tin of 17½ seers in weight or less.

### Schedule II.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally in the district of Howrah.

*Notification No. 11844 F.G. (Dist.) M., dated the 27th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. I, p. 1774).*

In exercise of the power conferred by the Order published under notification No. 11634D.C.S., dated the 12th September 1945, I hereby authorise the Deputy Director of Supply and the Assistant Director of Supply, Department of Civil Supplies, Bengal, to issue permits under the said Order.

*Notification No. 11818D.C.S., dated the 18th September, 1945 (published in the "Calcutta Gazette" of the 20th September, 1945, Pt. I, p. 1523).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all orders on the subject, I hereby direct that the maximum prices of cocoanut oil, shall, with effect from the date of this order, be as follows:—

### A

In the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

- (i) Wholesale at Rs. 46 per maund *ex-Calcutta godown* (with containers); at Rs. 39-8 per maund, *ex-Calcutta godown* (without containers).
- (ii) Retail at Re. 1-1-6 per seer.

### B

Elsewhere in Bengal

- ... (i) Wholesale at Rs. 46 per maund, *ex-godown* (without container.)
- (ii) Retail at Rs. 1-4 per seer.

*Notification No. 1554D.C.S., dated the 31st January, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 1st February, 1946).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 9256D.C.S., dated the 9th July 1945, the Governor is pleased to direct that the maximum prices at which the varieties of mustard seeds shown in column 1 of Schedule I to this Order may be sold in the areas specified in Schedule II to this Order shall be as shown in the corresponding entry in column 2 of Schedule I and to direct further with reference to sub-rule (I) of rule 119 of the said rules that notice of this Order shall be given by the publication of the same in the *Calcutta Gazette*:—

### Schedule I.

Column 1. Variety.	Column 2. Maximum price per maund (inclusive of price of bags).
	Rs. as
1. U. P. Lahi	... 15 0
[2. U. P. Yellow Mustard	... 17 12]
3. U. P. Lotni	... 16 8
4. U. P. Gajar (mixture of 40 per cent. yellow mustard and 60 per cent. Lahi or Lotni).	16 8
5. U. P. Tora	... 15 8
6. U. P. Raitora (seeds from mixed cultivation of Lahi and Tora varieties).	14 12
7. U. P. Kajli	... 14 12

### Schedule II.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollgunge in the district of the 24-Parganas.

(4) The municipalities of Howrah and Bally-Belur in the district of Howrah.

*Notification No. 2584 D.C.S., dated the 23rd February, 1946 (published in the "Calcutta Gazette, Extraordinary" of the 25th February, 1946).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 1077 D.C.S., dated the 22nd January 1946, the Governor is pleased to direct that, with effect from the 25th February 1946, the maximum prices at which the commodities specified in column 1 of Schedule I to this Order may be sold in areas specified in Schedule II to this Order, shall be as shown in the corresponding entry in column 2 of Schedule I and to direct further with reference to sub-rule (1) of rule 119 of the said Rules that notice of this Order shall be given by the publication of this Order in the *Official Gazette* and also by the issue of a Press Note summarising and explaining the same:—

#### Schedule I.

Column 1. (Commodity.)	Rs.	a.	p.	Column 2. (Price per maund.)
Mustard oil (loose), <i>ex-mill</i> ...	43	12	0	
Mustard oil (in returnable containers) <i>ex-godown</i> of appointed wholesalers ...	43	12	0	
Mustard oil (loose), <i>ex-godown</i> of wholesaler appointed as a clearing agent by the Department of Civil Supplies, Bengal.	45	4	0	
Mustard oilcake (with bags), <i>ex-mill</i> ...	5	12	0	

*Explanation.*—In this Order the words "mustard oil" and "wholesaler" have the same meaning as in the Bengal Mustard Oil Control Order, 1945; and the words "Appointed wholesaler" have the same meaning as in the Bengal Rationing Order, 1943, and the Calcutta Industrial Area Rationing Regulations, 1943.

#### Schedule II.

(1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

(2) The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

(3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

(4) The municipalities of Howrah and Bally in the district of Howrah.

(5) The mauza of the Royal Botanical Garden bearing jurisdiction list No. 4 and covered by cadastral survey khatian No. 5 within police-station Shibpore in the district of Howrah.

*Notification No. 2592 D.C.S., dated the 23rd February, 1946 (published in the "Calcutta Gazette" of the 28th February, 1946, Pt. I, p. 401).*

In exercise of the power conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to

make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules that notice of the Order shall be given by publication of the said Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions—

### Order.

1. No consignment or any part thereof of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Bengal from any place outside Bengal shall be delivered to the consignee or to anybody else, unless such delivery is authorised by an endorsement in writing to this effect made by the Director-General, Food, Department of Civil Supplies, Bengal, or an officer empowered by him in this behalf on the railway or steamer receipt under which such consignment or part thereof is deliverable:

Provided that nothing in this Order shall apply to the delivery of any consignment, (1) the total weight of which does not exceed half a maund in weight, or (2) which is booked under a military credit note or to an officer of the Defence Services by designation.

2. No railway or steamer receipt in respect of any consignment or part thereof of any of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Bengal from any place outside Bengal shall be transferred by sale or otherwise to any person other than the consignee unless the Director-General, Food, Department of Civil Supplies, Bengal, or an officer empowered by him has specially permitted such transfer by an order in writing.

### The Schedule.

- (1) Groundnut Seeds.
- (2) Groundnut Kernel.
- (3) Groundnut Oil.

*Notification No. F. S.-Oils-I. E.-1-46, dated the 4th March, 1946 (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. I, p. 441).*

In exercise of the power conferred by the Order published under notification No. 2592D.C.S., dated the 23rd February 1946, I hereby authorise the officers mentioned in column 1 of the table below to perform the functions of the Director-General, Food, under the said Order in the areas specified in the corresponding entries in column 2 of that table and I hereby direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of this notification shall be given by the publication of the same in the *Official Gazette*:—

1 Officers.	2 Areas.
The Deputy Director of Supply and the Assistant Director of Supply, Department of Civil Supplies, Bengal.	The Calcutta Industrial Area.
District Magistrates, Subdivisional Magistrates, District and Subdivisional Controllers of Civil Supplies, Bengal.	The areas of their respective jurisdictions outside the Calcutta Industrial Area.

*Explanation.*—In this notification "the Calcutta Industrial Area" has the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943.



**(xvi) Paper and Newspaper.**

*Notification No. 598P.C., dated the 3rd February, 1945 (published in the "Calcutta Gazette" of the 8th February, 1945, Pt. I, p. 246).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (1) This Order may be called the Bengal Paper Dealers (Licensing and Returns) Order, 1945.

(2) It shall come into force at once.

(3) It extends to the whole of Bengal excepting the Chittagong Hill Tracts.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "dealer" means a person who receives paper from the manufacturers or distributors of paper and sells it to consumers;

(b) "form" means a form appended to this Order;

(c) "paper" has the same meaning as in sub-clause (a) of clause 3 of the Paper Control (Distribution) Order, 1944;

(d) "Special Officer" means the officer appointed by the Provincial Government to be the "Special Officer, Paper Control, Bengal".

3. No person who at the commencement of this Order was not carrying on business as a dealer shall, except under the authority in writing of the Special Officer, carry on any such business after the commencement of this Order.

4. Every person who at the commencement of this Order was carrying on business as a dealer shall apply before the 1st March, 1945, to the Special Officer for being licensed as a dealer and on such application being made a license shall be issued to such person by such officer in Form I.

"and no such person shall carry on business as a dealer except under and in accordance with a license issued under this paragraph".

5. Every dealer licensed under this Order shall prominently display at his place of business the license issued to him under this Order.

<sup>1</sup>[5A. Every dealer shall maintain a Sales Register in Form IA.]

6. (1) If any person to whom any authority in writing has been issued under paragraph 3 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Paper) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his authority may be cancelled by the Special Officer.

<sup>1</sup>Inserted by notification No. 2387Com., dated the 11th June, 1945.

(2) If any person being the holder of a license issued under paragraph 4 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Paper) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his licence may be suspended or cancelled by the Special Officer.

<sup>1</sup>[6A. Every person holding stock of paper in excess of one ton [shall] submit to the Special Officer on or before the 7th day of every month a true return in Form IB of the quantity of paper held, acquired or consumed by him during the previous calendar month:

Provided that nothing in this paragraph shall apply to—

(a) a dealer, or

(b) a proprietor of a newspaper, any printer or publisher, any keeper of a printing press, or any manufacturer of exercise books, account books, articles of stationery or other articles made from paper to whom the provisions of the Paper Control (Economy) Order, 1944, apply.

6B. (1) No dealer shall sell to any person in any one transaction any quantity of paper exceeding ten lbs. in weight except under a written order obtained from such person.

(2) Every dealer when selling any paper shall issue to the customer a cash memorandum or invoice, according as the sale is made in cash or on credit, in which shall be given the name, address and license number of the dealer, the date of the transaction, the quantity of paper sold and the price charged and such dealer shall keep a duplicate copy of every such memorandum or invoice to be available for inspection on demand by the Special Officer or by any other officer authorised in this behalf by the Special Officer and every such sale shall be entered in the Sales Register maintained under paragraph 5A.

6C. (1) Whenever there is any change of address of the place of business of a dealer specified in the license or authority issued to him under this Order he shall forthwith report the fact to the Special Officer and produce his license or authority to the Special Officer for modification.

(2) Every dealer holding any stocks of paper at any place other than the place specified in the license or authority issued to him under this Order shall forthwith furnish to the Special Officer the address or addresses of every such place or places where such paper is stocked.]

7. Every dealer shall submit to the Special Officer, not later than the 22nd February, 1945, a true return in Form II of the quantity of paper held, acquired or disposed of by him during the months of October, November and December, 1944.

8. Every dealer shall submit to the Special Officer on or before the seventh day of every month a true return in Form III of the quantity of paper held, acquired or disposed of by him during the preceding calendar month.

<sup>1</sup>Inserted by notification No. 3897Com., dated the 17th September, 1945.

**8A. The Special Officer may—**

- (a) direct any person carrying on any transaction connected with paper to maintain such records relating to paper as he may specify;
- (b) direct any person carrying on any transactions connected with paper to furnish and to maintain such information as he may specify;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of any person carrying on any transactions connected with paper;
- (d) enter and search or authorise any person to enter and search any premises in which any transaction connected with paper is carried on;
- (e) seize or authorise the seizure of any paper in respect of which he has reason to believe that a contravention of this order has been, is being or is about to be committed.

**9. If any person contravenes any of the provisions of this Order,—**

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the offence may order that any paper in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

**FORM I.**

**GOVERNMENT OF BENGAL.**

**Commerce, Labour and Industries Department.**

**The Bengal Paper Dealers (Licensing and Returns) Order, 1945.**

(See paragraph 4.)

**LICENSE FOR SALE OF PAPER.**

Subject to the provisions of the Bengal Paper Dealers (Licensing and Returns) Order, 1945, Mr./Messrs.....  
is/are authorised to sell paper, at the following place of business.....

*Special Officer,  
Paper Control, Bengal.*

*Dated.....194...*

*Note.*—The licensee's attention is drawn to paragraphs 5 and 6(2) of the Bengal Paper Dealers (Licensing and Returns) Order, 1945, which reads—

"5. Every dealer licensed under this Order shall prominently display at his place of business the license issued to him under this Order.

6(2). If any person being the holder of a license issued under paragraph 4 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Price Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Papers) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his license may be suspended or cancelled by the Special Officer."

**FORM IA.**

(See paragraph 5A.)

**Sales Register.**

1 Date of supply.	2 Name of purchaser.	3 Permit or license number.	4 Cash memo, or invoice number.	5 Description of paper supplied.	6 Quantity.		7 Balance of this paper in stock after supply.		8 Inspector's initials.	9 Remarks
					R. Q. S.	Weight in lbs.	R. Q. S.	Weight in lbs.		

**FORM IB.**

(See paragraph 6A.)

*Return of stocks for the month of 194 .*

1. Name of person holding stock of paper exceeding one ton.....
2. Full address.....

I/We declare that the following is a true statement of the stock of paper held by me/us on the 7th of.....194....

Variety of paper.	Opening stock on 1st month.	Purchased during month.	From whom purchased.	Total consumed.	Balance in stock.	Purpose for which stock held.
	T. C. lb.	T. C. lb.		T. C. lb.	T. C. lb.	T. C. lb.
Total ..						

*Signature of the person  
submitting the return.*

*Dated.....194.*

<sup>1</sup>Inserted by notification No. 2387Com., dated the 11th June, 1945.

<sup>2</sup>Inserted by notification No. 3897Com., dated the 17th September, 1945.

**FORM II.**

(See paragraph 7.)

**Return for the quarter ending 31st December, 1944.**

Name of dealer.....

Address.....

	Kraft.			Board.			Other qualities.		
	T	C	L	T	C	L	T	C	L
Opening stock on 1st October, 1944 ..									
Receipts during the quarter ending 1st December 1944.									
Names of suppliers—									
(1) .....									
(2) .....									
Sold or disposed of to :—									
Printers .....									
Publishers .....									
Newspaper proprietors .....									
Other parties .....									
Closing balance .....									

Note.—A separate return should be made for imported paper.

Signature of proprietor.

Dated.....194...

**FORM III.**

(See paragraph 8.)

**Monthly Stock and Sales Return.**

For.....194...

Name of dealer.....

License No.....

Address.....

	Kraft.			Board.			Other qualities.		
	T	C	L	T	C	L	T	C	L
Opening stock on 1st of month ..									
Receipts during month.....									
Names of suppliers and date.....									
.....									
Total of opening stock and receipt ..									
Sold or disposed of to :—									
Permit holders.....									
License holders.....									
Other parties.....									
Closing balance.....									

Note.—A separate return should be made for imported paper.

Dated.....194...

Signature of proprietor.

*Notification No. 412S, dated the 20th April, 1945 (published in the "Calcutta Gazette" of the 26th April, 1945, Pt. I, p. 685).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### **Order.**

1. (1) This Order may be called the Chittagong Hill-tracts Paper Dealers (Licensing and Returns) Order, 1945.

(2) It shall come into force at once.

(3) It extends to the whole of the Chittagong Hill-tracts.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "dealer" means a person who receives paper from the manufacturers or distributors of paper and sells it to consumers;

(b) "form" means a form appended to this Order;

(c) "paper" has the same meaning as in sub-clause (a) of clause 3 of the Paper Control (Distribution) Order, 1944;

(d) "Special Officer" means the officer appointed by the Provincial Government to be the "Special Officer, Paper Control, Bengal".

3. No person, who at the commencement of this Order was not carrying on business as a dealer, shall, except under the authority in writing of the Special Officer, carry on any such business after the commencement of this Order.

4. Every person, who at the commencement of this Order was carrying on business as a dealer shall apply before the 30th April, 1945, to the Special Officer for being licensed as a dealer and on such application being made a license shall be issued to such person by such officer in Form I and no such person shall carry on business as a dealer except under and in accordance with a license issued under this paragraph.

5. Every dealer licensed under this Order, shall prominently display at his place of business the license issued to him under this Order.

6. (1) If any person to whom any authority in writing has been issued under paragraph 3 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Price Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Paper) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his authority may be cancelled by the Special Officer.

(2) If any person, being the holder of a license issued under paragraph 4 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Price Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Paper) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his license may be suspended or cancelled by the Special Officer.

7. Every dealer shall submit to the Special Officer, not later than the 30th April, 1945, a true return in Form II of the quantity of paper held, acquired or disposed of by him during the months of October, November and December, 1944.

8. Every dealer shall submit to the Special Officer on or before the seventh day of every month a true return in Form III of the quantity of paper held, acquired or disposed of by him during the preceding calendar month.

9. The Special Officer may—

- (a) direct any person carrying on any transaction connected with paper to maintain such records relating to paper as he may specify;
- (b) direct any person carrying on any transactions connected with paper to furnish and to maintain such information as he may specify;
- (c) inspect or cause to be inspected any books or other document belonging to or under the control of any person carrying on any transactions connected with paper;
- (d) enter and search or authorise any person to enter and search any premises in which any transaction connected with paper is carried on;
- (e) seize or authorise the seizure of any paper in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

10. If any person contravenes any of the provisions of this Order,—

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the offence may order that any paper in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

*Note.*—The licensee's attention is drawn to paragraphs 5 and 6 (2) of the Chittagong Hill-tracts Paper Dealers (Licensing and Returns) Order, 1945, which reads—

"5. Every dealer licensed under this Order shall prominently display at his place of business the license issued to him under this Order.

6. (2) If any person being the holder of a license issued under paragraph 4 contravenes any of the provisions of this Order or of the Paper Control (Distribution) Order, 1944, the Paper Price Control Order, 1944, the Paper Control (Prices of Board) Order, 1944, or the Paper (Prices of Imported Paper) Control Order, 1944, then, without prejudice to any other action that may be taken against him, his license may be suspended or cancelled by the Special Officer."

## FORM I.

### **The Chittagong Hill-tracts Paper Dealers (Licensing and Returns) Order, 1945.**

(See paragraph 4.)

*License for sale of paper.*

Subject to the provisions of the Chittagong Hill-tracts Paper Dealers (Licensing and Returns) Order, 1945, Mr./Messrs.....  
.....is/are authorised to sell paper, at the  
following place of business.....

*Special Officer,  
Paper Control, Bengal.*

*Dated.....194...*

## FORM II.

(See paragraph 7.)

**Return for the quarter ending 31st December, 1944.**

Name of dealer.....

Address.....

Kraft.			Board.			Other qualities.		
T	C	L	T	C	L	T	C	L

Opening stock on 1st October, 1944 ..

Receipts during the quarter ending 1st  
December, 1944.

Names of suppliers—

(1) .....

(2) .....

(3) .....

Sold or disposed of to—

Printers .....

Publishers .....

Newspaper proprietors .....

Other parties .....

Closing balance .....

*Note.*—A separate return should be made for imported paper.*Signature of proprietor.*

Dated.....194...

## FORM III.

(See paragraph 8.)

**Monthly Stock and Sales Return.***For*.....194...

Name of dealer.....

License No.....

Address.....

Kraft.			Board.			Other qualities.		
T	C	L	T	C	L	T	C	L

Opening stock on 1st of month ..

Receipts during month .. ..

Names of suppliers and date.....

**Total of opening stock and receipts**



	Kraft.			Board.			Other qualities.		
	T	C	L	T	C	L <sup>1</sup>	T	C	L
Sold or disposed of to :—									
Permit holders	..		..						
License holders ..	..		..						
Other parties ..	..		..						
Closing balance ..	..		..						

*Note.*—A separate return should be made for imported paper.

*Signature of proprietor.*

*Dated.....194...*

*Notification No. 4476Com., dated the 5th December, 1944 (published in the "Calcutta" Gazette " of the 7th December, 1944, Pt. I, p. 1416).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely :—

### Order.

**1. In this Order—**

- (a) "book" and "Newspaper" have the same meanings as in the Press and Registration of Books Act, 1867; and
- (b) "paper" includes all descriptions (whether homogeneous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fibreboard, cellulose wadding, cellulose film and other similar materials which are manufactured wholly or mainly either from vegetable fibres or pulp thereof or both from such fibres and such pulp but does not include any paper which is not manufactured in India.

2. No person shall move or carry or cause to be moved or carried by rail, road, river or otherwise any paper, strawboard <sup>2</sup>[millboard or article manufactured wholly or mainly from paper] from any place in Bengal to any place outside Bengal except under and in accordance with the conditions of a permit issued in this behalf in writing by the Special Officer, Paper Control, under the Government of Bengal:

Provided that nothing in this paragraph shall apply to—

- (a) the moving or carrying of paper, strawboard <sup>2</sup>[millboard or article manufactured wholly or mainly from paper] not exceeding one pound in weight by a *bona fide* traveller as part of his personal luggage, or
- (b) the consignment by the paper mills specified in the Schedule appended to this Order, of paper, strawboard or millboard manufactured by such mills <sup>3</sup>[or of article manufactured wholly or mainly from paper by such mills] from the stations where their respective factories are situated, or

<sup>3</sup>(bb) The consignment by the Controller of Printing and Stationery, Government of India, Calcutta, of paper, from the station where this office or godown, as the case may, is situated, or

<sup>1</sup>Substituted by notification No. 4476Com., dated the 5th December, 1944.

<sup>2</sup>Substituted by notification No. 3Com., dated the 2nd January, 1945.

<sup>3</sup>Inserted by notification No. 737Com., dated the 21st February, 1945.

- (c) any paper used in a reasonable quantity for the wrapping of packages sent outside Bengal<sup>1</sup> [or
- (d) any book or newspaper].

3. If any person contravenes the provisions of paragraph 2 of this Order—

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules, and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable any Court trying the offence may order that any paper, strawboard<sup>2</sup> [millboard or article manufactured wholly or mainly from paper], together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

### The Schedule.

1. Titaghur Paper Mills Co., Ltd.
2. India Paper Pulp Company, Ltd.
3. Bengal Paper Mill Company, Ltd.
- <sup>2</sup>4. The Pioneer Paper and Pulp, Limited.
- <sup>3</sup>[5. The Standard Board and Paper Mills, Ltd.
6. The Bengal Board Mills, Ltd.
7. The Asiatic Paper and Board Industries.
8. The India Paper and Board Mills.
9. The Jaswant Strawboard Mills, Ltd.
10. The Eastern Paper Mills, Ltd.]

### (XVII) Salt.

*Notification No. 7218 D.C.S., dated the 22nd May, 1945 (published in the "Calcutta Gazette" of the 24th May, 1945, Pt. I, p. 903).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (I) This Order may be called the Bengal Khari Salt Control Order, 1945.
- (2) It extends to the whole of Bengal except the Chittagong Hill-tracts.
2. In this Order,—
  - (a) "Director-General" means the Director-General, Food, Department of Civil Supplies, Bengal, appointed by the Provincial Government and includes such other Officers as may be authorised by the said Director-General in writing to exercise all or any of the powers conferred upon him by this Order;
  - (b) "Form" means a form as set forth in the Schedule to this Order;
  - (c) "Khari salt" means the commodity used for industrial and agricultural purposes which is commonly known as Khari salt containing not more than ten per cent. of Sodium Chloride.

<sup>1</sup>Substituted by notification No. 3Com., dated the 2nd January, 1945.

<sup>2</sup>Inserted by notification No. 737Com., dated the 21st February, 1945.

<sup>3</sup>Added by notification No. 1453Com., dated the 11th April, 1945.

3. No person shall take delivery or cause delivery to be taken of any consignment of Khari salt arriving by rail, road or water at any place in Bengal, except under a permit issued in that behalf in Form A by the Director-General.

4. No person importing Khari salt from any place outside Bengal, or otherwise obtaining supplies of Khari salt, shall sell, supply or deliver such Khari salt to any person unless he is in possession of a valid license issued in that behalf by the Director-General under paragraph 5.

5. (1) The Director-General may issue a license in Form B to any person authorising such person to sell or supply Khari salt.

(2) Every person to whom a license has been issued under this paragraph shall comply with the provisions of this Order and with the conditions specified in the license granted to him and also with such other directions as may from time to time be given to him by the Director-General for the purpose of giving effect to the provisions of this Order.

(3) The directions referred to in sub-paragraph (2) may be given either by general or special order.

(4) Without prejudice to the generality of the powers conferred by sub-paragraph (2), the Director-General may by order in writing direct a person to whom a license has been issued under this paragraph to supply Khari salt to such person or persons and in such quantity or quantities as may be specified in the Order.

(5) The Director-General may at any time, without giving any previous notice or without assigning any reason, suspend or cancel by an order in writing a license issued under this paragraph.

6. The Director-General, every Inspector or Sub-Inspector of the Department of Civil Supplies, Bengal, and every police officer not below the rank of a Sub-Inspector, may, with a view to securing compliance with this Order,—

(a) enter upon and inspect any premises in which he has reason to believe that Khari salt is being stored;

(b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person.

7. A Court trying any contravention of this Order may, without prejudice to any other sentence it may pass, direct that any Khari salt together with the packages and coverings thereof, in respect of which it is satisfied that such contravention has occurred, shall be forfeited to His Majesty.

### **The Schedule.**

#### **FORM A.**

*Delivery permit under paragraph 3 of the Bengal Khari Salt Control Order, 1945.*

Mr./Messrs.....(name) of  
.....(address) is/are hereby authorised to  
receive delivery of.....bags of Khari salt weighing approxi-  
mately.....maunds.....seers consigned to.....  
(station) under Railway Receipt/Bill of Lading No.....,  
dated.....

*Signature and designation of the  
Issuing Authority.*

*Date.....*

## FORM B.

*License under paragraph 5 of the Bengal Khari Salt Control Order, 1945.*

Subject to the provisions of the Bengal Khari Salt Control Order, 1945, and the conditions of this license.....(name) of .....(address) is/are hereby authorised to sell and supply Khari salt received by him/them.

2. This license is subject to the following conditions—

- (1) It shall be valid till.....
- (2) The licensee shall maintain true and correct accounts of all Khari salt received, consumed and sold by him.
- (3) The licensee shall submit fortnightly to the undersigned a true return of stocks, receipts and deliveries of Khari salt during the period from the 1st to the 15th (both inclusive) and from the 16th to the last day (both inclusive) of every month so as to reach the undersigned or the office of the undersigned by the twentieth day of that month and by the fifth day of the immediately succeeding month respectively. Every such return shall be submitted in duplicate and shall contain a true account of (a) the stocks of Khari salt held by the licensee at the beginning of the period for which the return is submitted, (b) the quantity of Khari salt received by him during such period, (c) the quantity of Khari salt consumed by him during such period, (d) the quantity of Khari salt sold or supplied by him to any person during such period with the names and addresses of such persons and the quantity supplied to each such person and (e) the stocks of Khari salt held by him at the end of such period.
- (4) The licensee shall comply with the provisions of the Bengal Khari Salt Control Order, 1945, and with the conditions of this license and also with such directions as may from time to time be given by general or special order by the Director-General, Food, Department of Civil Supplies, Bengal, or any officer authorised by him under the said Order.

*Signature and designation of the  
Issuing Authority.*

Date.....

*Notification No. 7219D.C.S., dated the 22nd May, 1945 (published in the "Calcutta Gazette" of the 24th May, 1945, Pt. J, p. 904).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Khari Salt Control Order, 1945, I hereby authorise the officers mentioned in column 1 of the table below to exercise all the powers conferred upon me by the said Order in the areas specified in the corresponding entries in column 2 of that table:—

1	2
Officers.	Areas.
The Director of Supply, Department of Civil Supplies, Bengal, and the Deputy Director and the Assistant Director of Supply in charge of Salt, Department of Civil Supplies, Bengal.	The Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

1 Officers.	2 Areas.
District Magistrates, District Controllers of Civil Supplies, Sub-divisional Magistrates and Sub-divisional Controllers of Civil Supplies.	The areas of their respective jurisdictions outside the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this notification “the Calcutta Industrial Area” and “the Calcutta Industrial (Extended) Area” have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

*Notification No. 10148 D.C.S., dated the 30th July, 1945 (published in the “Calcutta Gazette” of the 9th August, 1945, Pt. I, p. 1312).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Khari Salt Control Order, 1945, I hereby authorise all District Assistant Controllers of Civil Supplies also to exercise all the powers conferred upon me by the said Order within their respective jurisdictions.

*Notification No. 3392 D.C.S., dated the 31st March, 1945 (published in the “Calcutta Gazette” of the 5th April, 1945, Pt. I, p. 556).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Salt Control Order, 1945.
- (2) It extends to the whole of Bengal excepting the areas specified in Schedule I to this Order.

- (3) It shall come into force on the 21st April, 1945.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (a) “District Magistrate” includes any person authorised by the District Magistrate to perform all or any of the functions of the District Magistrate under this Order;
- (b) “Form” means a form as set forth in Schedule II to this Order;
- (c) “purchase in wholesale quantities” means purchase in quantities exceeding 20 maunds in any one transaction, and includes purchase by any person on behalf of another as a Commission Agent or as an *arhatiya*;
- (d) “salt” includes all varieties of edible salt;
- (e) “sale in wholesale quantities” means sale in quantities exceeding 20 maunds in any one transaction, and includes sale by any person on behalf of another as a Commission Agent or as an *arhatiya*;
- (f) “storage for sale in wholesale quantities” means storage in quantities exceeding 20 maunds for purposes of sale, whether wholesale or retail, and includes storage by any person on behalf of another as a Commission Agent or as an *arhatiya* and storage by an employer for the purpose of supplying, on payment or otherwise, salt to any of his employees.

3. No person shall engage in any undertaking which involves the purchase, sale or storage for sale, in wholesale quantities, of any salt except under and in accordance with a licence issued under paragraph 4.

4. The District Magistrate may issue a licence in form A to any person authorising him to purchase, sell and store for sale, salt in wholesale quantities.

5. (1) Every person to whom a licence has been issued under paragraph 4 shall comply with the provisions of this Order, and with such conditions as may be specified in the licence granted to him and also with such directions as may from time to time be given to him by the District Magistrate for the purpose of giving effect to the provisions of this Order.

(2) The directions referred to in sub-paragraph (1) may be given either by general or special order.

(3) Without prejudice to the generality of the powers conferred by sub-paragraph (1), such directions may, subject to the provisions of this Order, provide for—

(a) the manner in which the licensee shall distribute or dispose of his stocks; and

(b) the delivery of specified quantities of salt to retail distributors or to residential catering, manufacturing, processing of animal establishments or to employers for distribution to their employees.

(4) Every person to whom a licence has been issued under paragraph 4 shall maintain a register in Form B showing correctly—

(a) his opening stocks of salt at the beginning of each day;

(b) his receipts of salt during each day;

(c) the quantities of salt disposed of by him each day; and

(d) his stocks at the close of the day.

(5) Every person to whom a licence has been issued under paragraph 4 shall submit fortnightly to the District Magistrate a true return in Form C of stocks, receipts and deliveries of salt during the period from the 1st to the 15th (both inclusive) and from the 16th to the last day (both inclusive) of every month so as to reach the District Magistrate or his office by the twentieth day of that month and by the fifth day of the immediately succeeding month, respectively.

6. (1) The District Magistrate may cancel or suspend a licence issued by him under paragraph 4, if he is of opinion that the licensee has contravened any of the provisions of this Order or any of the conditions specified in the licence issued to him or any direction given to him under the provisions of paragraph 5 or for any other sufficient reason.

(2) Notwithstanding anything contained in sub-paragraph (1), the Provincial Government or any officer authorised by the Provincial Government in this behalf may, in special circumstances, without giving any previous notice or without assigning any reason, suspend or cancel by an order in writing a licence issued under this Order.

7. The District Magistrate or any other officer authorised by the Provincial Government in this behalf by notification in the Official Gazette may—

(a) enter upon and inspect any premises in which he has reason to believe that any salt is being stored in contravention of the provisions of this Order;

(b) enter upon and inspect at all reasonable hours any premises in which salt is stored by a person holding a licence under paragraph 4 of this Order; and

(c) require any person holding a licence under paragraph 4 of this Order to produce any books, accounts or other documents relating to any salt held by him under such licence or to any transaction in respect of such salt or to furnish such information relating to such transactions as he may consider necessary.

8. If any person contravenes the provisions of paragraph 3 or paragraph 5 of this Order, then without prejudice to any other punishment to which he may be liable, the Court trying the offence shall order that any stocks of salt together with packages and coverings thereof in respect of which the Court is satisfied that the contravention has occurred shall be forfeited to His Majesty unless for reasons to be recorded in writing the Court is of opinion that the order should not be made in respect of the whole or, as the case may be, a part of the property.

9. The provisions of this Order shall not apply to the possession of any salt by or on behalf of the Crown or His Majesty's forces.

10. The Bengal Salt Return Order, 1943, is hereby repealed with effect from the date on which this Order comes into force.

### Schedule I.

[See paragraph 1 (2).]

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank.

2. The Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

3. The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas.

4. The municipalities of Howrah and Bally-Belur in the district of Howrah.

5. The municipalities of (1) Budge Budge, (2) South Dum Dum, (3) Dum Dum, (4) Baranagore, (5) Kamarhatty, (6) Panihati, (7) Khardah, (8) Titaghur, (9) South Barrackpore, (10) North Barrackpore, (11) Garulia, (12) Bhatpara, (13) Naihati, (14) Halisahar, (15) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas.

6. The municipalities of (1) Uttarpara, (2) Kotrung, (3) Rishra, (4) Konnagar, (5) Serampore, (6) Baidyabati, (7) Champdani, (8) Bhadreswar, (9) Hooghly-Chinsurah and (10) Bansberia in the district of Hooghly.

### Schedule II.

#### FORM A.

*Licence under paragraph 4 of the Bengal Salt Control Order, 1945.*

Licence No.....

Subject to the provisions of the Bengal Salt Control Order, 1945, and the conditions of this licence.....(name)  
of.....

.....(address) is hereby authorised to purchase, sell and store for sale salt in quantities of twenty maunds or more.

2. The licence is subject to the following conditions:—

- (1) The licensee shall maintain a register in Form B in Schedule II of the Bengal Salt Control Order, 1945, showing correctly (a) his opening stocks every day, (b) receipts of salt during the day showing the quantity received and the name and address of the person from whom received, (c) deliveries of salt made during the day showing the quantity delivered and the name and address of the person to whom delivered, and (d) stocks of salt at the close of the day.
- (2) The licensee shall submit fortnightly to the undersigned a true return in Form C in Schedule II to the Bengal Salt Control Order, 1945, of stocks, receipts and deliveries of salt during the period from the 1st to the 15th (both inclusive) and from the 16th to the last day (both inclusive) of every month so as to reach the undersigned or his office by the twentieth day of that month and by the fifth day of the immediately succeeding month respectively.
- (3) The licensee shall comply with such directions as may be given to him by general or special order under the provisions of paragraph 5 of the Bengal Salt Control Order, 1945.

*Signature and designation of  
the Issuing Authority.*

*Date*.....

**FORM B.**

*Register to be maintained by a licensee under paragraph 5 (4) of the Bengal Salt Control Order, 1945.*

1	2	3	4	5
Date.	Opening stocks.	Receipts during the day.	Deliveries during the day.	Closing stocks.
	Mds. srs. chhs.	(a) From whom received. (b) Quantity. Total receipts during the day.	(a) To whom delivered. (b) Quantity. Total deliveries during the day.	Mds. srs. chhs.
		Name. Address. Mds. srs. chhs.	Name. Address. Mds. srs. chhs.	
		Mds. srs. chhs.	Mds. srs. chhs.	

**FORM C.**

*Return to be submitted by a licensee under paragraph 5 (5) of the Bengal Salt Control Order, 1945.*

Period of Return.....

Licence Number.....

Name of Licensee.....

Address of Licensee.....

**PART I.**

1	2	3	
Opening stocks.	Total receipts during the fortnight.	Total deliveries during the fortnight.	Closing stocks.
Mds. srs. chhs.	Mds. srs. chhs.	Mds. srs. chhs.	Mds. srs. chhs.



**PART II.**  
**Details of receipts.**

Date of receipt.	2 From whom received.		3 Quantity.		
	Name	Address.	Mds.	srs.	chhs.

**PART III.**  
**Details of deliveries.**

1 Date of delivery.	2 To whom delivered.		3 Quantity.		
	Name.	Address.	Mds.	srs.	chhs.

Signature of licensee.....

Date.

*Notification No. 6350 D. C. S., dated the 28th April, 1945 (published in the "Calcutta Gazette" of the 3rd May, 1945, Pt. I, p. 718.)*

In exercise of the power conferred by paragraph 7 of the Bengal Salt Control Order, 1945, the Governor is pleased to authorise the following officers to exercise within their respective jurisdictions the powers mentioned in the said paragraph, namely:—

- (1) all District Controllers of Civil Supplies,
- (2) all District Assistant Controllers of Civil Supplies,
- (3) all Subdivisional Magistrates,
- (4) all Subdivisional Controllers of Civil Supplies,
- (5) all '[Subdivisional Controllers of Civil Supplies],
- (6) all Inspectors of Civil Supplies under the Directorate of District Distribution, Department of Civil Supplies, Bengal,
- (7) all District Enforcement Officers,
- (8) all Inspectors of Civil Supplies under the Directorate-General of Enforcement and Public Relations, Department of Civil Supplies, Bengal, and
- (9) all Police Officers of and above the rank of Sub-Inspector.

*Notification No. 100681 D. C. S., dated the 28th July, 1945 (published in the "Calcutta Gazette" of the 9th August, 1945, Pt. I, p. 1311).*

In exercise of the power conferred by paragraph 7 of the Bengal Salt Control Order, 1945, the Governor is pleased to authorise all officers in the Collectorate of Central Excise, Calcutta, not below the rank of an Inspector, to exercise within their respective jurisdictions the powers mentioned in clauses (a), (b) and (c) of the said paragraph.

*Notification No. VII-D-6-1283-O. C., dated the 4th October, 1943 (published in the "Calcutta Gazette" of the 7th October, 1943, Pt. I, p. 1527).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (i) This Order may be called the Bengal Salt Return Order, 1943;
- (ii) It extends to the whole of Bengal;
- (iii) It shall come into force at once.

---

<sup>2</sup>Substituted by notification No. 7775 D. C. S., dated the 2nd June, 1945.

2. In this Order—

- (a) "Calcutta" means the town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (b) "Dealer" means a person engaged in the business of purchase, sale or storage for sale of salt who has in stock one hundred maunds or more of salt on any one day of a month.

3. (1) Every dealer shall submit a fortnightly return of stocks, receipts and deliveries of salt during the periods from the 1st to the 15th (both inclusive) and from the 16th to the end (both inclusive) of every month on the 16th of that month and on the 1st of the immediately succeeding month respectively to the authorities and in the manner specified in sub-paragraph (2).

(2) The return to be submitted under sub-paragraph (i) shall—

- (a) in the case of a dealer who carries on business in Calcutta and in the Municipality of Howrah, be prepared in Form A annexed to this Order and be submitted to the Director of Civil Supplies, Bengal, and
- (b) in the case of a dealer who carries on business in any other area, be prepared in Form B annexed to this Order and be submitted to the District Magistrate having jurisdiction over such area and also to the Director of Civil Supplies, Bengal.

4. An officer authorised in writing in this behalf by the Director of Civil Supplies, Bengal, in Calcutta and by the District Magistrate elsewhere may for the purposes of this Order enter upon and inspect any premises which is being used for the purchase, sale or storage for sale of salt.

**FORM A.**

### Form of the Fortnightly Return.

Return of salt received and delivered during the period from 1st to 15th  
of the month of ..... 194..... 16th to the end

**Name**.....

**Address.....**

Opening stock.	Amount received during the period.	Total quantities sold or otherwise disposed of during the period.	Closing balance.	To whom delivered.			Remarks.
				Name of person or firm.	Address.	How many bags.	

## FORM B.

## Form of the Fortnightly Return.

1st to 15th

Return of salt received and delivered during the period from

16th to the end

of the month of.....194.....

Name.....

Address.....

Opening stock.	Amount received during the period.	Total quantities sold or otherwise disposed of during the period.	Closing balance.	Remarks.

*Notification No. VII-E-98-5991-O.C., dated the 2nd September, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th September, 1944, p. 218).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Calcutta Industrial Area Salt Control Order, 1944.

(2) It extends to the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

(3) It shall come into force on the 4th September, 1944.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Calcutta Industrial Area" means the area for the time being specified in Schedule A to the Calcutta Industrial Area Rationing Regulations, 1943;

(b) "Calcutta Industrial (Extended) Area" means the area for the time being specified in Schedule A to the Calcutta Industrial (Extended) Area Rationing Regulations, 1944;

(c) "Controller" means the Controller of Rationing, Civil Supplies Department, Bengal, and includes such officers as may be authorised by him in writing to exercise all or any of the powers conferred on him by this Order;

(d) ["Director-General" means the Director-General, Food, Civil Supplies Department, Bengal] and includes such officers as may be authorised by him in writing to exercise all or any of the powers conferred on him by this Order;

(e) "Form" means a form as set forth in Schedule to this Order;

(f) "Normal quantity" means eight units of salt, each unit having the same value as the value of a unit of salt laid down in Schedule C to the Calcutta Industrial Area Rationing Regulations, 1943:

Provided that in the case of a person who is a householder the normal quantity shall be deemed to be the aggregate of the normal quantities for each member of his household including any servants living in and forming part of the household;

<sup>1</sup>Substituted by notification No. 3179D.C.S., dated the 26th March, 1945.

- (g) "Salt" means any salt which is for the time being specified to be a rationed article by notification under clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, in respect of any area to which this Order applies; and
- (h) the expressions "appointed wholesaler", "appointed retailer" and "appointed establishment proprietor" have the same meanings as in the Bengal Rationing Order, 1943;
- (i) "Week" means a period of seven days beginning at midnight on Saturday night.

3. No person shall have in his possession or under his control more than the normal quantity of salt except under and in accordance with the conditions of a consumer's licence granted under paragraph 4, or of a stockist's licence granted under paragraph 5, or of a transit stock licence granted under paragraph 6:

Provided that nothing in this paragraph shall apply to an appointed wholesaler, an appointed retailer or an appointed establishment proprietor.

4. (1) The Controller may, on application made to him in this behalf, issue a consumer's licence, which shall be in Form A to a person authorising him to have in his possession or under his control a quantity of salt specified in the licence, being a quantity in excess of the normal quantity for the use of the licensee and of so many members of the licensee's household as may be specified in such licence.

(2) No such licence shall be issued unless the applicant for the licence produces before the Controller his own ration card and the ration cards of the members of his household.

(3) Where a licence has been issued under this paragraph the ration cards issued to the holder of such licence and to such members of his household as may be specified in the licence shall not be used and shall not be available for lawful use for obtaining supplies of salt for such period as may be specified in the licence.

5. (1) The [Director-General] may, on application made to him in this behalf, issue a stockist's licence which shall be in Form B to any person authorising him to bring salt into the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area by land and water and to have in his possession or under his control salt in excess of the normal quantity.

<sup>2</sup>[Provided that the Director-General may instead of issuing a stockist's licence in Form B issue a stockist's licence in Form B (1) to any person authorising him to bring into the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area such quantity and quality of salt from such place and by such means of transport as may be specified in the licence and to have in his possession or under his control such quantity of salt in excess of the normal quantity as may be so specified in the licence.]

(2) The holder of a licence issued under this paragraph shall not sell, transfer or otherwise dispose of any salt except under an authorisation issued under paragraph 19 of the Bengal Rationing Order, 1943.

(3) The holder of a licence under this paragraph shall submit to the Director so as to reach him on Wednesday of each week a true return stating—

- (a) the stock of salt at the beginning of the preceding week,
- (b) the receipts during the preceding week with the quantity, quality and source of each consignment received,

<sup>1</sup>Substituted by notification No. 3179D.C.S., dated the 26th March, 1945.

<sup>2</sup>Added by notification No. 13225D.C.S., dated the 2nd November, 1945.

- (c) sales under the authorisation, if any, issued under paragraph 19 of the Bengal Rationing Order, 1943, during the preceding week showing the quantity and the name and address of the purchaser for each transaction,
- (d) closing stock at the end of the week, and
- (e) such other particulars as may be required by the <sup>1</sup>[Director-General].

6. (1) <sup>1</sup>[Director-General] may, on application made to him in this behalf, issue a transit stock licence which shall be in Form C to any person authorising him to have in his possession or under his control such quantity of salt being a quantity in excess of the normal quantity for such period of time as may be specified in the licence pending despatch of such salt to a destination outside the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area specified in such licence.

(2) The holder of a licence issued under this paragraph shall not sell, transfer or otherwise dispose of the salt anywhere within the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

(3) The holder of such licence shall despatch the salt to the destination specified in the licence within the period of time specified therein and surrender the licence to the <sup>1</sup>[Director-General] immediately on the expiry of the said period:

Provided that the <sup>1</sup>[Director-General] may extend the period of validity of a licence issued under this paragraph.

7. The holder of a licence issued under paragraph 5 or paragraph 6 shall comply with the conditions specified in the licence and with such directions as may be given by the <sup>1</sup>[Director-General] by general or special order from time to time for securing compliance with the provisions of this Order.

8. The authority by which a licence issued under this Order may at any time suspend or cancel such licence.

9. No person other than a person holding a stockist's licence granted under paragraph 5 shall bring any salt by land or by water into the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area:

Provided that nothing in this paragraph shall apply to *bona fide* visitors arriving in the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area who have in their possession as part of their personal luggage for personal consumption during their stay in such area a quantity of salt not exceeding one-fourth of the normal quantity.

10. Any officer authorised by the Provincial Government in this behalf by general or special order may—

- (a) enter upon and inspect any premises in which he has reason to believe that any salt is being possessed or held contrary to the provisions of this Order;
- (b) enter upon and inspect at all reasonable hours any premises in which salt is kept stored by a person holding a licence under paragraph 5 or paragraph 6;
- (c) require any person holding a licence under paragraph 5 or paragraph 6 to produce any books, accounts or other documents relating to any salt held by him under such licence or to any transaction in respect of such salt or to furnish such information relating to such transactions as the Officer so authorised may consider necessary.

<sup>1</sup>Substituted by notification No. 3179D.C.S., dated the 26th March, 1945.

<sup>2</sup>Substituted by notification No. 13225D.C.S., dated the 2nd November, 1945.

11. If any person contravenes the provisions of paragraph 3 or paragraph 7 of this Order, then without prejudice to any other punishment to which he may be liable, the Court trying the offence may order that any stocks of salt together with packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

12. The provisions of this Order shall not apply to the movement or possession of any salt by or on behalf of the Crown or for His Majesty's forces.

### The Schedule.

#### FORM A.

*Consumer's Licence under paragraph 4 of the <sup>1</sup>[Calcutta Industrial Area] Salt Control Order, 1944.*

Subject to the provisions of the <sup>2</sup>[Calcutta Industrial Area] Salt Control Order, 1944, and the conditions of this licence.....  
(name) of.....(address) is authorised to have under his/her control or in his/her possession at..... (address) .....(quantity) of salt for the use of him/herself and of.....members of his/her household.

This licence is subject to the condition that the ration cards issued to the licensee and the aforesaid members of his/her household under the Bengal Rationing Order, 1943, or any regulations made thereunder shall not be used and shall not be available for lawful use for obtaining supplies of salt for.....weeks from the date of the issue of this licence.

*Signature and designation of the Issuing Authority.*

*Date.....*

#### FORM B.

*Stockist's Licence under <sup>1</sup>[paragraph 5 (1)] of the <sup>2</sup>[Calcutta Industrial Area] Salt Control Order, 1944.*

Subject to the provisions of the <sup>1</sup>[Calcutta Industrial Area] Salt Control Order, 1944, and the conditions of this licence.....(name) of .....(address) is/are authorised to—

- (a) import salt into the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area, and
- (b) to have under his/their control or in his/their possession salt in excess of the normal quantity.

This licence is subject to the following conditions:—

1. It is valid till the 31st December, 194.....
2. The licensee shall not sell, or otherwise transfer salt to any one except under an authorisation issued under paragraph 19 of the Bengal Rationing Order, 1943.

3. The licensee shall submit to the <sup>2</sup>[Director-General, Food, Department of Civil Supplies], Bengal, so as to reach him on Wednesday of each week a true return stating (a) the stock of salt at the beginning of the preceding week, (b) the receipts during the preceding week with the quantity, quality and source of each consignment received, (c) sales under

<sup>1</sup>Substituted by notification No. 13225D.C.S., dated the 2nd November, 1945.

<sup>2</sup>Substituted by notification No. 3179D.C.S., dated the 26th March, 1945.

the authorisation, if any, issued under paragraph 19 of the Bengal Rationing Order, 1943, during the preceding week showing the quantity and the name and the address of the purchaser for each transaction, (d) closing stock at the end of the week, and (e) such other particulars as may be required by the <sup>1</sup>[Director-General, Food, Department of Civil Supplies], Bengal.

4. The licensee shall comply with such directions as may be given by general or special order from time to time by the <sup>2</sup>[Director-General, Food, Department of Civil Supplies], Bengal, or such other officer as may be authorised by him, for securing compliance with the provisions of the Calcutta and Industrial Area Salt Control Order, 1944, and with the conditions of this licence.

*Signature and designation of the Issuing Authority.*

*Date*.....

### **FORM B (1).**

*Stockist's Licence under the proviso to paragraph 5-(1) of the Calcutta Industrial Area Salt Control Order, 1944.*

Subject to the provisions of the Calcutta Industrial Area Salt Control Order, 1944, and the conditions of this licence.....  
(name) of.....(address) is/are authorised to—

(a) import.....(quantity) of.....(quality) salt from  
.....(source) into the Calcutta Industrial Area  
and the Calcutta Industrial (Extended) Area by.....  
(means of transport), and

(b) to have under his/their control or in his/their possession the quantity  
of salt specified in clause (a).

This licence is subject to the following conditions:—

1. It is valid till the.....  
2. The licensee shall not sell, or otherwise transfer salt to any one except under an authorisation issued under paragraph 19 of the Bengal Rationing Order, 1943.

3. The licensee shall submit to the Director-General, Food, Department of Civil Supplies, so as to reach him on Wednesday of each week a true return stating (a) the stock of salt at the beginning of the preceding week, (b) the receipts during the preceding week with the quantity, quality and source of each consignment received, (c) sales under the authorisation, if any, issued under paragraph 19 of the Bengal Rationing Order, 1943, during the preceding week showing the quantity sold and the name and the address of the purchaser for each transaction, (d) closing stock at the end of the week and (e) such other particulars as may be required by the Director-General, Food, Department of Civil Supplies, Bengal.

4. The licensee shall comply with such directions as may be given by general or special order from time to time by the Director-General, Food, Department of Civil Supplies, Bengal, or such other officers as may be authorised by him, for securing compliance with the provisions of the Calcutta Industrial Area Salt Control Order, 1944, and with the conditions of this licence.

*Signature and Designation of the  
Issuing Authority."*

*Date*.....

<sup>1</sup>Substituted by notification No. 13225D.C.S., dated the 2nd November, 1945.

<sup>2</sup>Insert by notification No. D.C.S., dated the 2nd November, 1945.

## FORM C.

*Transit Stock Licence under paragraph 6 of the <sup>1</sup>[Calcutta Industrial Area] Salt Control Order, 1944.*

Subject to the provisions of the <sup>2</sup>[Calcutta Industrial Area] Salt Control Order, 1944, and the conditions of this licence.....of..... is/are authorised to have under his/their control or in his/their possession .....of salt within the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area for a period of.....days from the date of issue of this licence pending despatch of such salt to.....

This licence is subject to the following conditions:--

- (1) The licensee shall not sell, transfer or otherwise dispose of the salt anywhere within the Calcutta Industrial Area or the Calcutta Industrial (Extended) Area.
- (2) The licensee shall surrender this licence immediately on the expiry of its period of validity.
- (3) The licensee shall comply with such directions as may be given by general or special order from time to time by the <sup>1</sup>[Director-General, Food, Department of Civil Supplies], Bengal, or such other officer as may be authorised by him, for securing compliance with the provisions of the <sup>2</sup>[Calcutta Industrial Area] Salt Control Order, 1944, and with the conditions of this licence.

*Signature and designation of the Issuing Authority.*

*Date.....*

*Notification No. 3182 D. C. S., dated the 26th March, 1945 (published in the "Calcutta Gazette" of the 5th April, 1945, Pt. I, p. 523).*

In exercise of the power conferred by clause (d) of paragraph 2 of the Calcutta Industrial Area Salt Control Order, 1944, I hereby authorise the Deputy Director of Supply in charge of Salt to exercise the powers conferred upon me by paragraphs 5 and 6 of the said Order and I further authorise the Assistant Director of Supply in charge of Salt to exercise the powers conferred upon me by paragraph 6 of the said Order.

*Notification No. 3180 D. C. S., dated the 26th March, 1945 (published in the "Calcutta Gazette" of the 5th April, 1945, Pt. I, p. 520).*

In exercise of the power conferred by paragraph 10 of the Calcutta Industrial Area Salt Control Order, 1944, and in supersession of this department notification No. VII-E-98-6073-O.C., dated 9th September 1944, the Governor is pleased to authorise—

- (1) the Director-General, Food, Department of Civil Supplies, Bengal,
- (2) the Director of Rationing, Department of Civil Supplies, Bengal,
- (3) the Additional Director of Rationing and Controller of Rationing, Calcutta,
- (4) all Deputy Controllers of Rationing, Assistant Controllers of Rationing, Special Officers, Rationing Officer, Chief Inspectors, Deputy Chief Inspectors, Inspectors and Sub-Inspectors under the Director of Rationing,

<sup>1</sup>Inserted by notification No. 13225D.C.S., dated the 2nd November, 1945.

<sup>2</sup>Substituted, *ibid*.



- (5) the Director of Supply and Deputy and Assistant Directors of Supply in charge of Salt,
- (6) all Chief Inspectors, Inspectors and Sub-Inspectors of Civil Supplies,
- (7) all Police Officers of the Enforcement Branch of the Calcutta Police of and above the rank of Sub-Inspector, and
- (8) all Police Officers of the districts of Howrah, Hooghly and 24-Parganas of and above the rank of Sub-Inspector,

to exercise the powers mentioned in the said paragraph.

*Notification No. 1942Com. (C.D.), dated the 28th July, 1942 (published in the "Calcutta Gazette" of the 6th August, 1942, Pt. 1, p. 1957).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct—

- (a) that no consignment of salt or sugar arriving at any of the Railway and Steamer Stations in Calcutta and in the municipality of Howrah shall be delivered to the consignee or to anybody else except under a permit in writing issued by the Chief Controller of Prices, Bengal, or by any officer authorised in writing by the said Chief Controller in this behalf;
- (b) that no such consignee or other person shall dispose of any such salt or sugar except under, and in accordance with the conditions of, another permit in writing to be issued by an officer authorised in writing by the Chief Controller of Prices in this behalf; and
- (c) that permits under clauses (a) and (b) of this order shall not be transferable.

*Explanation.*—In this order "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

*Notification No. 7888C.S., dated the 5th November, 1942 (published in the "Calcutta Gazette" of the 12th November, 1942, Pt. I, p. 253).*

### Order.

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule and in partial modification of an order No. 180Com. (C.D.), dated the 18th April, 1942, which prohibited the export of certain commodities from Calcutta and the industrial area except under permit, the Governor is pleased—

- (a) to exempt from the operation of that order until further notice—
  - (1) Salt,
  - (2) Mustard Oil in consignments of less than 20 tins (8 maunds 30 seers), and
- (b) to direct that any permit required by that order shall be issued by or under the authority of the Controller of Civil Supplies, Calcutta.

---

<sup>1</sup>Substituted by notification No. 3179D.C.S., dated the 26th March, 1945.

<sup>2</sup>Substituted, *ibid.*

*Notification No. VII-A-4/190 O.C., dated the 3rd May, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 4th May, 1944, p. 145).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in partial modification of the Government of Bengal, Commerce and Labour Department, notification No. 1980Com.- (C.D.), dated the 31st July, 1942, the Governor is pleased to direct that the wholesale bazar price of salt in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall not exceed Rs. 5-14 per maund (without gunny bags).

*Notification No. VII-A-24-756-O.C., dated the 12th June, 1944 (published in the "Calcutta Gazette" of the 15th June, 1944, Pt. I, p. 793).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

No consignment of salt or any part thereof arriving at any of the railway and steamer stations in Bengal from any place outside Bengal shall be delivered to the consignee or anybody else except under a permit issued by the <sup>1</sup>[Director-General, Food, Department of Civil Supplies] or any other officer authorised by him in writing in this behalf:

Provided that nothing in this Order shall apply to the delivery of any consignment, the total weight of which does not exceed two and a half maunds.

*Notification No. 3183D.C.S., dated the 26th March, 1945 (published in the "Calcutta Gazette" of the 5th April, 1945, Pt. I, p. 523).*

In exercise of the power conferred by the order published under notification No. VII-A-24-756-O.C., dated the 12th June, 1944, I hereby authorise the officers specified in column 1 of the table below to issue permits for the delivery of consignments of salt in the areas specified in the corresponding entries in column 2 of that table:—

1	2
The Director of Supply and the Deputy and Assistant Directors of Supply in charge of Salt.	The Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.
All District Magistrates, Subdivisional Officers, District and District Assistant Controllers of Civil Supplies and Subdivisional Controllers of Civil Supplies, Bengal.	The areas of their respective jurisdictions excluding any area included within the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area.

*Explanation.*—In this Order—

(1) The Calcutta Industrial Area means the area for the time being specified in Schedule A to the Calcutta Industrial Area Rationing Regulations, 1943.

(2) The Calcutta Industrial (Extended) Area means the area for the time being specified in Schedule A to the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

<sup>1</sup>Substituted by notification No. 3181D.C.S., dated the 26th March, 1945.

*Notification No. 11117D.C.S., dated the 21st November, 1944 (published in the "Calcutta Gazette" of the 7th December, 1944, Pt. I, p. 1419).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of all previous orders on the subject, the Governor is pleased to direct that in the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area, the maximum retail price of salt shall be 3 (three) annas per seer.

*Explanation.*—In this Order "the Calcutta Industrial Area" and "the Calcutta Industrial (Extended) Area" have respectively the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

**(xviii) Silk.**

*Notification No. 1101-Ind., dated the 16th May, 1945 (published in the "Calcutta Gazette" of the 17th May, 1945, Pt. I, p. 849).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. (1) This Order may be called the Bengal Silk Control Order, 1945.<sup>1</sup>  
(2) It shall come into force at once.

2. The Bengal Silk Control Order, 1943, is hereby repealed:

Provided that all appointments made, proceedings commenced and action taken under any provisions of that Order shall be continued, and so far as may be, shall be deemed to have been respectively made, commenced or taken under the corresponding provisions of this Order.

3. In this Order, unless there is anything repugnant in the subject or context,—

- (1) "Calcutta" means the area within the ordinary original civil jurisdiction of the High Court in Calcutta;
- (2) "charka establishment" means any manufactory or establishment in which silk is produced by reeling it from cocoons with the help of any indigenous instrument;
- (3) "charka silk" means raw silk reeled from cocoons with the help of any indigenous instrument;
- (4) "cocoon" means the case of silk spun by the larva of the mulberry silk moth *Bombyx Mori* for the protection of its chrysalis;

---

<sup>1</sup>This order has since been repealed by notification No. 591-Ind., dated the 28th February, 1946, as follows—

In exercise of the power conferred by rule 81 of the Defence of India Rules, the Governor is pleased to repeal the Bengal Silk Control Order, 1945, with effect from the 1st day of March 1946:

Provided that the said Order shall be deemed to continue in force for the purpose of any investigation or proceeding, whether commenced before or after the repeal of the said Order, relating to any contravention of the said Order which has taken place before such repeal.

II With reference to sub-rule (1) of rule 119 of the Defence of India Rules, the Governor is further pleased to direct that notice of this Order shall be given by the publication of this Order in the *Official Gazette* and by the issue of a Press Note summarising and explaining its provisions.

- (5) "cocoon rearer" means any person who rears cocoons for sale or gain;
- (6) "District Controller" means a District Controller of Silk appointed under sub-paragraph (3) of paragraph 4;
- (7) "filature" means any manufactory or establishment in which silk is produced by reeling it from cocoons with the help of any machinery other than an indigenous instrument;
- (8) "filature silk" means raw silk reeled from cocoons with the help of any machinery other than an indigenous instrument;
- (9) "indigenous instrument" includes *charka*, *kataghai*, *gharghai*, *gurghai* or any similar device for reeling silk;
- (10) "owner of a *charka* establishment" includes any person producing silk in the manner specified in clause (2);
- (11) "owner of the filature" includes any person producing silk in the manner specified in clause (7);
- (12) "prescribed" means prescribed by regulations made by the Provincial Controller;
- (13) "Provincial Controller" means the Provincial Controller of Silk appointed under sub-paragraph (1) of paragraph 4;
- (14) "raw silk" means silk which has not been subjected to any processes of manufacture other than those required for reeling it from cocoons and includes both *charka* and filature silk;
- (15) "registered owner" means the registered owner of a filature or the registered owner of a *charka* establishment;
- (16) "registered owner of a *charka* establishment" means the owner of a *charka* establishment registered under paragraph 5 and includes any agent of such owner;
- (17) "registered owner of a filature" means the owner of a filature registered under paragraph 5 and includes any agent of such owner;
- (18) "registered trader" means a person trading in raw silk registered under paragraph 6 and includes any agent of such trader, [any chief agent] or any person dealing in raw silk either for sale or for distribution to handloom weavers for fabrication or any other purpose;
- (19) "silk" means the fibre produced by the larva of the mulberry silk moth *Bombyx Mori*;
- <sup>1</sup>[(20) "Chief Agent" means any person appointed by the Provincial Government in respect of any district to purchase on behalf of the Provincial Government in accordance with the conditions of a scheme to be laid down all *charka* silk in such district];

\*\*

4. (1) The Provincial Government shall appoint an officer to be called the Provincial Controller of Silk for carrying out the purposes of this Order and may appoint such other persons to assist him as it thinks fit.

(2) Persons appointed under sub-paragraph (1) shall exercise such powers as may be conferred and perform such duties as may be required by or under this Order.

<sup>1</sup>Substituted by notification No. 1706Ind., dated the 23rd October, 1945.

<sup>2</sup>Clause (21) omitted, *ibid.*

(3) The Provincial Government may also appoint for Calcutta and for each district a person to be called the District Controller of Silk who shall, within Calcutta or such district, as the case may be, exercise such powers and perform such duties as are conferred or imposed on a District Controller by or under this order or as the Provincial Government may by order direct or such powers or duties of the Provincial Controller as may from time to time be delegated to him by the Provincial Controller with the previous sanction of the Provincial Government.

5. (1) No filature or *charka* establishment shall, after the commencement of this Order, be operated unless the person owning it has been or is deemed to have been registered under this paragraph.

(2) Every person owning a filature or a *charka* establishment shall, before the expiration of one month from the date on which he first becomes subject to the provisions of this paragraph, apply to the Registering Officer appointed in this behalf by the Provincial Government to be registered as an owner in respect of such filature or *charka* establishment:

Provided that where any such person has been registered under the Bengal Silk Control Order, 1943, and such registration is in force on the date of commencement of this Order, it shall not be necessary for him to apply for registration again under this sub-paragraph and the registration so in force shall be deemed for all purposes of this Order to have been effected under this sub-paragraph.

(3) The Registering Officer may refuse to register any person as an owner in respect of a filature or a *charka* establishment without assigning any reason for such refusal.

6. (1) No person shall, after the commencement of this Order, trade in raw silk unless he has been or is deemed to have been registered under this paragraph as a trader in raw silk.

(2) Every person selling raw silk or distributing such silk to handloom weavers for the purposes of fabrication or otherwise trading in raw silk shall, before the expiration of one month from the date on which he first becomes subject to the provisions of this sub-paragraph, apply to the Registering Officer appointed in this behalf by the Provincial Government to be registered as a trader in raw silk:

Provided that where any such person has been registered as a trader in raw silk under the Bengal Silk Control Order, 1943, and such registration is in force on the date of commencement of this Order, it shall not be necessary for him to apply again for registration under this sub-paragraph and the registration so in force shall be deemed for all purposes of this Order to have been effected under this sub-paragraph.

7. (1) A registration once effected under paragraph 5 or paragraph 6 shall continue in force until it is cancelled by the Registering Officer or is deemed to be cancelled under paragraph 24.

(2) When a registration is cancelled or suspended or is deemed to be cancelled under paragraph 24 the fact shall be made known either by the issue of a notification in a local newspaper or by beat of drum in the locality in which the cancellation or suspension is to have effect as the Registering Officer deems proper.

8. An application for registration under paragraph 5 or paragraph 6 or an application for cancellation of such registration shall be in such form, contain such particulars and be accompanied by such fees as may be prescribed and the procedure to be followed in granting or cancelling any such registration and the form of registers to be kept by the Registering Officers shall be such as may be prescribed.

9. (1) No person whether or not he is a registered owner or a registered trader shall purchase any raw silk except under a permit issued in this behalf by the Provincial Controller or the District Controller nor shall any such person sell any raw silk to any person other than a Government Officer authorised in this behalf by the Central Government or the Provincial Government or any agent appointed in this behalf by Government or any person holding a permit issued in this behalf by the Provincial Controller or the District Controller and no such purchase or sale shall be made at a price exceeding the maximum price fixed in this behalf by the Provincial Government under paragraph 17:

Provided that where any raw silk is purchased by <sup>1</sup>[a chief agent], so much of such silk as is not required by the Provincial Government may be sold by <sup>1</sup>[the chief agent] under a permit issued in that behalf by the Provincial Controller or the District Controller to *bona fide* weavers or their representatives at prices not exceeding the maxima fixed for the respective grade of raw silk under paragraph 17.

(2) No person except a registered owner or a registered trader shall receive, carry or retain in his possession raw silk except under a permit issued in that behalf by the Provincial Controller or by the District Controller for the district in which such silk has been acquired by such person.

10. (1) All disputes regarding the price of raw silk arising out of the purchase thereof by the Provincial Government or <sup>1</sup>[a chief agent] from any registered trader shall be referred for decision to the following authorities, namely:—

(a) where the dispute relates to the price of filature silk to the Provincial Controller through the Special Officer for Silk;

(b) where the dispute relates to the price of *charka* silk—to a Board consisting of:—

(i) a representative of the <sup>1</sup>[chief agent] nominated by such agent;

(ii) a representative of the owners of *charka* establishment to be nominated by the Provincial Government; and

(iii) an officer of the Department of Industries of the Government of Bengal to be nominated by the Provincial Government.

(2) The decision of the Provincial Controller to whom a dispute is referred under clause (a) of sub-paragraph (1) shall be final.

(3) Any person aggrieved by a decision of the Board to which a dispute is referred under clause (b) of sub-paragraph (1) may within fifteen days from the date of such decision appeal against it to the Provincial Controller whose decision thereon shall be final.

(4) If in the purchase by or on behalf of the Provincial Government of any raw silk any dispute arises regarding the grade to which any sample of raw silk which the Provincial Government desires to purchase belongs, the decision of the Provincial Government in this respect shall be final.

11. A registered dealer who sells or advances silk for fabrication or for any other purpose to a weaver shall make a record of the quantity of silk sold or advanced together with the date of the transaction in a *hatchita* to be maintained by the weaver and the registered dealer shall sign each entry in the said *hatchita* at the time such entry is made. The registered dealer shall also provide such weaver with a certificate that he is *bona fide* weaver and that he is recognised as such by the dealer making the advance or sale. The weaver shall on being called upon under sub-paragraph (1) of paragraph 22 to do so produce the said *hatchita* or certificate or both, as the case may be, for inspection.

<sup>1</sup>Substituted by notification No. 1706Ind., dated the 23rd October, 1945.

12. In all transactions in raw silk under this order one seer shall be deemed to be equivalent to eighty tolas.

13. (1) The Provincial Government or any person duly authorised by the Provincial Government in this behalf may at any time by notice in the prescribed form served in the prescribed manner on any registered owner or any registered trader restrain for such period as may be specified in the notice such owner or trader from selling or in any way disposing of any stocks of raw silk which such trader or owner may have in his possession.

(2) When a notice under sub-paragraph (1) has been served on such owner or trader, he shall not, after the service of the notice and during the period specified therein, sell or in any way dispose of any stocks of raw silk which he may have in his possession.

14. (1) Subject to the provisions of sub-paragraph (2), no cocoons shall be sold or purchased by any person or in any way transferred from one person to another or utilised in any manner by any person even if the same have been produced by his own labour or enterprise except under and in accordance with the conditions of a permit issued in this behalf by the Provincial Controller or the District Controller.

(2) No person shall receive or retain cocoons in his possession unless such person is—

(a) a cocoon rearer, or

(b) a registered trader, or

(c) a person to whom a permit has been issued under sub-paragraph (1) for the transfer of any cocoons to him by any person.

(3) The Provincial Controller or a District Controller may by general or special order in writing direct every cocoon rearer or person dealing in, or having in his possession any stocks of, cocoons within the area under the jurisdiction of such Controller to sell all his cocoons to the Provincial Controller or to such District Controller or to any person authorised in this behalf by the Provincial Controller or such District Controller and to deliver them at such place or places as may be specified by the Provincial Controller or such District Controller or the person so authorised, as the case may be, and every cocoon rearer or person dealing in, or having in his possession any stocks of, cocoon shall, when so directed, comply with such direction.

(4) Every general order issued under sub-paragraph (3) shall be made known by beat of drum in the locality where the cocoon rearers or the persons dealing in, or having in their possession any stocks of, cocoons to whom the order is directed reside.

(5) Any person having in his possession any stock of cocoons shall, whenever required by a District Controller, produce such cocoons before him.

15. (1) The maxima prices of cocoons of different grades shall be such as the Provincial Government may from time to time specify by notification in the *Official Gazette*.

(2) No person shall sell, and no person shall buy cocoons at prices exceeding the respective maxima prices fixed under sub-paragraph (1).

(3) In all transactions in cocoons under this Order one seer shall be deemed equivalent to eighty tolas.

16. (1) Where a dispute arises between a cocoon rearer and a registered owner regarding the grade to which a particular sample of cocoons belongs.

such owner shall be entitled to purchase such sample of cocoons at three-quarters of the price claimed by such rearer, provided that such price shall not exceed the maximum price fixed for the highest grade of cocoons under sub-paragraph (1) of paragraph 15.

(2) The cocoon rearer or the registered owner may then apply to a prescribed testing station for the testing of the sample of cocoons in dispute and for the determination of the grade to which the sample belongs, and shall along with such application send a specimen of the sample of cocoons in dispute taken under prescribed conditions. Such testing station shall test such specimen in the prescribed manner and shall determine the grade to which the sample of cocoons of which the specimen has been tested belongs. It shall then be incumbent upon the cocoon rearer to accept and for the registered owner to pay the maximum price fixed under paragraph 15 for the grade so determined and any excess paid or deficit remaining to be paid as a result of the sample of cocoons having been purchased under the provisions of sub-paragraph (1) shall be adjusted.

17. (1) The maxima prices for different grades of raw silk shall be such as may be specified from time to time by the Provincial Government by notification in the *Official Gazette*.

(2) A registered trader who holds a permit issued under this Order by the Provincial Controller or the District Controller shall sell such raw silk as is covered by that permit at prices not exceeding the maxima specified under sub-paragraph (1) plus six and one fourth *per centum* of such maxima and such prices shall cover transport and other incidental charges.

18. Any person having in his possession any stock of raw silk shall, whenever required by a District Controller or any person authorised by the District Controller in this behalf in writing, produce before him such raw silk.

19. (1) No person shall sell, transfer or dispose of any cocoons or any raw silk to any person outside the Province of Bengal except under a permit issued in this behalf in writing by the Provincial Controller or the District Controller.

(2) Every registered owner and every registered trader shall inform the Provincial Controller or the District Controller of every order or request for the supply of cocoons or raw silk to any place outside Bengal received by such owner or trader.

(3) No railway authority or postal authority and no carrier by land or water or air shall accept any cocoons or raw silk for transport to any place outside Bengal unless a permit has been issued under sub-paragraph (1) in respect of such cocoons or raw silk by the Provincial Controller or the District Controller.

(4) If the Provincial Controller or a District Controller has reason to believe that attempts are being made to convey, despatch or transport cocoons or raw silk in packages or parcels in contravention of the provisions of sub-paragraph (3) by suppressing the correct description of the contents, he shall inform the postal or railway authority or carrier by land, water or air concerned and on receipt of such intimation the postal or railway authority or carrier by land, water or air shall detain such packages or parcels pending investigation and further instructions from the Provincial Controller or the District Controller concerned. Any postal or railway authority or carrier by land, water or air who has reason to believe that any package or parcel contains cocoons or raw silk and has been incorrectly described, shall detain such packages or parcels pending instructions from the District Controller concerned and shall send information to the Provincial Controller or the nearest District Controller.



(5) No person shall import from outside Bengal any raw silk for sale or transfer nor shall any silk imported by any person from outside Bengal be disposed of by such person without obtaining a permit in writing in that behalf from the Provincial Controller.

20. Every registered owner shall in respect of the filature or the *charka* establishment of which he is such owner keep books of account in the prescribed form showing:—

- (a) the quantity of cocoons purchased or received or grown from time to time;
- (b) the prices paid for such cocoons;
- (c) the quantity of cocoons reeled from time to time;
- (d) the outturn of raw silk including particulars as to the quantities of the different kinds of raw silk produced;
- (e) the persons to whom the raw silk produced was sold or transferred and the prices obtained for such raw silk;
- (f) the number of reeling basins used during each season's work; and
- (g) such other particulars necessary for the purposes of this Order as may be prescribed.

21. Every registered trader shall, in respect of his trade in raw silk and at each place at which he carries on such trade, keep books of account in the prescribed form showing:—

- (a) the stocks of raw silk in his possession on date on which he first became subject to the provisions of paragraph 6;
- (b) all fresh stocks of raw silk purchased or received by him after the date mentioned in clause (a);
- (c) the persons from whom the stocks of raw silk, referred to in clauses (a) and (b) were purchased or received;
- (d) the persons to whom any raw silk out of the stocks of raw silk referred to in clauses (a) and (b) were sold or transferred; and
- (e) such other particulars necessary for the purposes of this Order as may be prescribed.

22. (1) The Provincial Controller, any District Controller or any other person empowered in this behalf by the Provincial Government may with a view to securing compliance with this Order:—

- (a) require any registered owner or any registered trader to produce before him all accounts, vouchers and other documents relating to the matters mentioned in paragraph 20 or paragraph 21, as the case may be, and to furnish any other information relating to such matters and every such owner and every such trader shall comply with such requisition;
- (b) inspect such accounts, vouchers and documents of, and the cocoons or raw silk, as the case may be, held in stock by, such owner or trader; and
- (c) inspect the *hatchita* and the certificate of any weaver obtaining silk by purchase or by way of advance for the purpose of fabrication from any registered dealer.

(2) The Provincial Controller, any District Controller or any other person specially empowered in this behalf by the Provincial Government may at any time enter and search by day any building or place in which he has reason to believe that any cocoon rearer, any registered owner or any registered trader holds any stocks of cocoons or raw silk, as the case may be, or in

which he has reason to believe that any cocoon or silk in respect of which any contravention of this Order has occurred is held, and may seize any cocoons or raw silk in respect of which he has reason to believe that any contravention of this Order has occurred.

(3) All searches made under sub-paragraph (2) shall be made in accordance with the provisions of the Code of Criminal Procedure, 1898.

23. If any person contravenes any provisions of this Order, then without prejudice to any other punishment to which he may be liable, any Court trying any offence may order that any stock of cocoons or raw silk, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

24. If any registered owner or registered trader or any other person holding any permit under this Order is convicted of any offence under this Order, his registration or permit shall forthwith be deemed to be cancelled and the person holding the permit shall forthwith surrender the permit to the authority by which it was issued.

25. The Provincial Controller may, by notification in the *Official Gazette*, make regulations to provide for any matter which by this Order is to be prescribed.

*Notification No. 881-Ind., dated the 6th April, 1943 (published in the "Calcutta Gazette" of the 8th April, 1943, Pt. I, p. 720).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 3 of the Bengal Silk Control Order, 1943, the Governor is pleased to appoint the Director of Industries, Bengal, to be the Provincial Controller of Silk for carrying out the purposes of the said order and to appoint the Special Officer in charge of Silk Filature Scheme to assist the Provincial Controller of Silk.

*Notification No. 49Ind., dated the 22nd January, 1945 (published in the "Calcutta Gazette" of the 25th January, 1945, Pt. I, p. 127).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 3 of the Bengal Silk Control Order, 1943, and in supersession of the notification No. 882Ind., dated the 6th April, 1943, published on page 720 of Part I of the *Calcutta Gazette*, dated the 8th April, 1943, the Governor is pleased to appoint the officers specified in column 1 of the table below to be the District Controllers of Silk for the areas mentioned in the corresponding entries in column 2 of that table:—

Officers. 1	Areas. 2
First Superintendent of Sericulture, Bengal ...	District of Malda.
Deputy Director of Sericulture, Bengal, Berhampore ...	Districts of Midnapore, Bankura and Birbhum.
Second Superintendent of Sericulture, Bengal ...	District of Murshidabad.
Mr. M. Gupta, Controller of Production ...	Calcutta.
The Collectors of all districts excepting the district of Malda, Midnapore, Bankura, Birbhum and Murshidabad ...	The areas of their respective districts.

*Notification No. 883-Ind., dated the 6th April, 1943 (published in the "Calcutta Gazette" of the 8th April, 1943, Pt. I, p. 720).*

In exercise of the power conferred by paragraphs 4 and 5 of the Bengal Silk Control Order, 1943, the Governor is pleased to appoint the Special Officer in charge of Silk Filature Scheme to be the Registering Officer to whom applications under the said paragraphs may be made.

*Notification No. 884-Ind., dated the 6th April, 1943 (published in the "Calcutta Gazette" of the 8th April, 1943, Pt. I, p. 720).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 8 of the Bengal Silk Control Order, 1943, the Governor is pleased to authorise the District Controllers of Silk to exercise, within their respective jurisdictions, the powers referred to in the said sub-paragraph.

*Notification No. 885-Ind., dated the 6th April, 1943 (published in the "Calcutta Gazette" of the 8th April, 1943, Pt. I, p. 720)*

In exercise of the power conferred by sub-paragraph (2) of paragraph 8 of the Bengal Silk Control Order, 1943, the Governor is pleased to authorise the Provincial Controller of Silk to exercise the power of purchase of stocks of raw silk referred to in the said sub-paragraph.

*Notification No. 51-Ind., dated the 22nd January, 1945 (published in the "Calcutta Gazette" of the 25th January, 1945, Pt. I, p. 125).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 8A of the Bengal Silk Control Order, 1943, published under notification No. 467, dated the 8th March, 1943, as subsequently amended, the Governor is pleased to authorise the District Controllers of Silk to exercise within their respective jurisdictions, the powers referred to in the said sub-paragraph.

*Notification No. 1871-Ind., dated the 13th July, 1943 (published in the "Calcutta Gazette" of the 15th July, 1943, Pt. I, p. 1172).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 10 of the Bengal Silk Control Order, 1943, the Governor is pleased to direct that, with effect from the 1st August, 1943, the maximum price of cocoons suitable for "D" grade silk (18th rendita) shall be Rs. 97-6 per maund or Re. 1-3 per lb. and the price of cocoons of higher or lower rendita shall vary proportionately.

*Notification No. 1872-Ind., dated the 13th July, 1943 (published in the "Calcutta Gazette" of the 15th July, 1943, Pt. I, p. 1172).*

In exercise of the power conferred by sub-paragraph (1) of paragraph 12 of the Bengal Silk Control Order, 1943, the Governor is pleased to direct

that, with effect from the 1st August, 1943, the maximum prices for different grades of raw silk (including charka silk) shall be as specified below:—

(a) *Raw Silk*—

Maximum price per lb.

Rs. a.

"B" Grade .. .. .	26 12
"C" Grade .. .. .	26 10
"D" Grade .. .. .	26 8*
"E" Grade .. .. .	26 6
"F" Grade .. .. .	26 4
"G" Grade with major tests of "D" or above ..	26 2
"G" Grade with major tests of "E" or above ..	26 0
"G" Grade with major tests of "F" or above ..	25 14

(b) *Charka Silk*—

2,400 tana .. .. .	22 0
Bharna No. 1 .. .. .	19 0
Bharna No. 2 .. .. .	18 0
Ghora .. .. .	7 8

\*(Basic price, exclusive of packing and transport charges.)

*Notification No. 50-Ind., dated the 22nd January, 1945 (published in the "Calcutta Gazette" of the 25th January, 1945, Pt. I, p. 127).*

In exercise of the powers conferred by sub-paragraphs (1) and (2) of paragraph 16 of the Bengal Silk Control Order, 1943, published under notification No. 467, dated the 8th March, 1943, as subsequently amended and in supersession of the notification No. 886Ind., dated the 6th April, 1943, published on page 720 of Part I of the *Calcutta Gazette*, dated the 8th April, 1943, the Governor is pleased to empower the officers specified in column 1 of the table below to exercise the powers referred to in the said sub-paragraphs in respect of the areas mentioned in the corresponding entries in column 2 of that table:—

Officers.

Areas.

1

2

Special Officer in charge of Silk Filature Scheme ..	The whole of Bengal.
Mr. M. Gupta, Controller of Production ..	The whole of Bengal.
Reeling Superintendent under the Silk Filature Scheme ..	The whole of Bengal.
Senior District Inspector of Sericulture, Malda ..	The district of Malda.
Reeling Inspector, Malda ..	
Inspector of Silk Control, Malda ..	

## Officers.

1

## Areas.

2

Inspector of Sericulture, Murshidabad ...	The district of Murshidabad.
Inspector of Reeling, Jangipur, Murshidabad ...	The districts of Murshidabad and Birbhum.
Inspector of Reeling, Beldanga, Murshidabad ...	
Inspector of Reeling, Bhadrapur, Birbhum ...	
Inspector of Sericulture, Rampurhat, Birbhum ...	The district of Birbhum.
All District Controllers of Silk excepting Mr. M. Gupta ...	The areas of their respective jurisdictions.

## (xix) Timber.

Notification No. 13561 For., dated the 7th August, 1944 (published in the "Calcutta Gazette" of the 10th August, 1944, pt. I, p. 999).

In exercise of the power conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Timber Prices Control Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context—

(a) "timber" means logs, piles, poles, ballies or sawn timber;

(b) "trader" means any person engaged in the purchase for sale, sale or storage for sale of any timber or of any article or thing made of timber or composed to a substantial extent of timber.

3. (1) The Provincial Government may, from time to time by notification in the *Official Gazette*, fix the maximum prices at which timber may be sold by a trader or other person and may in like manner vary, amend or rescind any notification issued under this paragraph.

(2) Every such notification shall specify the date with effect from which or the period for which such maximum prices have been fixed and different maximum prices may be so fixed for different classes of timber.

4. When the maximum prices at which any timber may be sold by any person have been fixed under paragraph 3—

(a) no such person shall sell or agree to sell and no person shall purchase or agree to purchase any such timber at a price exceeding the maximum price of such timber so fixed;

(b) the price of any article or thing made of timber or composed to a substantial extent of timber shall be so charged that the price of the timber used in the making or composition of such article or thing does not exceed the maximum price of such timber so fixed and the trader shall, when so required by the purchaser, state what proportion of the price of the article or thing represents the cost of the timber used in the making or composition of such article or thing;

- ~~(c) no such timber or article or thing made of timber or composed to a substantial extent of timber shall be delivered or accepted in pursuance of an agreement entered into before such fixation of the maximum price for such timber if the agreement provides for the payment of a price for such timber exceeding the maximum price thereof so fixed or for the payment of a price for such article or thing which is so charged that the price of the timber used in the making or composition of such article or thing exceeds the maximum price of such timber so fixed, unless the agreement is by consent of the parties so revised as to substitute for the price of the timber originally agreed upon a price not exceeding the maximum price thereof so fixed or for the price of the article or thing originally agreed upon a price so calculated that the price of the timber used in the making or composition of such article, or thing does not exceed the maximum price of such timber so fixed.~~

5. Any person authorised by the Provincial Government in this behalf may—

- (a) enter upon and inspect any premises used or believed to be used for the purchase, sale or storage of timber;
- (b) require the owner, occupier or other person in charge of such premises or any trader to produce any books, accounts, vouchers or other documents relating to the purchase, sale or storage of any timber or to furnish such information relating to the said transactions as the person so authorised may consider necessary;
- (c) require a trader to submit such returns, reports or statements relating to the purchase for sale, sale or storage for sale of any timber as the person so authorised may consider necessary.

6. If any person contravenes the provisions of paragraph 4 or resists or fails when so required to carry out the provisions of paragraph 5 of this Order—

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable, any Court trying the offence may order that any stocks of timber or articles or things made of timber or composed to a substantial extent of timber, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.

7. Nothing in this Order shall apply to—

- (i) any agreement entered into before the 10th August, 1944, for the sale of timber or of any article or thing made of timber or composed to a substantial extent of timber in so far as such agreement is carried into effect on or before the 30th November, 1944, or
- (ii) any transactions—
  - (a) between the Forest Department of the Government of Bengal and any other department of the Government of Bengal or any department of the Government of India; or
  - (b) between the Timber Supplies Directorate of the Government of India and parties to whom that Directorate passes timber.

*Notification No. 19095For., dated the 23rd November, 1944 (published in the "Calcutta Gazette" of the 7th December, 1944, Pt. I, p. 1428).*

In exercise of the power conferred by paragraph 3 of the Bengal Timber Prices Control Order, 1944, the Governor is pleased to direct that in supersession of notification No. 13562For., dated the 7th August 1944, published at pages 1000-1002, Part I of the *Calcutta Gazette* of the 10th August, 1944, the maximum prices at which timbers the classification of which has been specified below may be sold by any person shall be as laid down in Schedules A, B and C annexed hereto:—

### *Classification of timbers.*

Class A—*Dalbergia sissu* (sissu); *Michelia* species (champ); *Shorea robusta* (sal).

Class B—*Adina cordifolia* (haldu); *Omoora wallichii* (lali, pitraj); *Anisoptera glabra*, boilam); *Carapa moluccensis* (passur); *Cedrela* species (toon); *Chukrassia tabularies* (chikrassi); *Dipterocarpus* species (gurjan); *Gmelina arborea* (gamar); *Heritiera minor* (sundri); *Hopea odorata* (telsur); *Lagerstroemia* species (jarul)<sup>1</sup>[*Morus* species (kimbu); *Betula cylindrostachys* (saur)].

Class C—*Albizzia* species (siris); *Alstonia cholaris* (*chatiwan*); *Artocarpus* species (chapalish, lakoocha and the like); *Bombax malabaricum* (simul); *Calophyllum polyanthum* (kamdeb); *Castanopsis hystrix* (katus); *Dichopsis polyantha* (tali); *Eugenia* species (*jam*); *Magnifera indica* (mango); *Terminalia* species (panisaj and pakasaj); *Trewia nudiflora* (pitati)<sup>1</sup>[*Malagiri* (*Cinnamomum cecidodaphne*)].

Class D—Other common species used for packing cases and other rough work.

### **Schedule A.**

The rates specified in this schedule shall be applicable in the districts of Darjeeling, Jalpaiguri, Dacca, Mymensingh, Chittagong, Khulna and 24-Parganas (excluding the portion dealt with in Schedule C below)—

I—LOGS (not classifying as PILES) per cubic foot.—

		Class A. Class B.	
		Rs. a.	Rs. a.
5' and up mid-girth	} By 12' length	2 2	1 14
4' to under 5' mid-girth		1 14	1 10
3' to under 4' mid-girth		1 10	1 6

[Pies nine per cubic foot less for each foot, or part of a foot exceeding 6 inches, under 12 feet in length, and pies six per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)

Class C. Class D.

	Rs. a.	Rs. a.
3' and up mid-girth and any length	1 0	0 13

(A surcharge not exceeding 25 per cent. is allowed for logs of specially selected quality measured for supply to the match manufacturing and plywood industries.)

## II—PILES per cubic foot.

			Class A.	Class B.	Class C.
			Rs. a.	Rs. a.	Rs. a.
Minimum to diameter 10" by—					
35' and up length	..	..	3 0	2 12	} 2 0
25' to below 35'	..	..	2 10	2 6	

## III—BALLIES and POLES (not classifying as LOGS or PILES) per running foot (green sal, teak and miscellaneous hardwoods.)

Mid-diam.	By under 8' to under 8'	to under 12'	12' to under 16'	16' to under 20'	20' to under 25'	25' and up.
	A. p.	A. p.	A. p.	A. p.	Rs. a. p.	Rs. a. p.
1" to 3"	0 1	0 2	0 3	0 6	0 0 9	0 1 0
3½" to 5"	1 3	1 6	1 9	2 0	0 2 6	0 2 9
5½" to 7"	1 6	2 0	2 6	4 3	0 4 9	0 5 0
7½" to 9"	3 9	4 6	6 0	7 6	0 8 3	0 9 0
Over 9"	6 6	8 9	11 0	15 3	1 1 6	1 3 6

## IV—SAWN TIMBER in lengths 6 to 12 feet per cubic foot. (Annas two per cubic foot less for each foot, or part of a foot exceeding 6 inches, less than 6 feet in length; and anna one per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)

	Class A.	Class B.	Class C.	Class D.
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(1) <i>Beams</i> —				
6" to 9" by 7" to 9"	..	..	3 1	2 12
10" to 11" by 6" and up	..	..	3 4	2 15
12" and up by 6" and up	..	..	3 7	3 2
(2) <i>Scantlings</i> —				
3" and up by 4" and up, which do not pass as beams.	3 2	2 14	2 4	2 2
(3) <i>Planks</i> —				
1" and up by 6" and up, which do not pass as scantlings	3 4	3 0	2 6	2 4
(4) <i>Boarding</i> —				
½" and up by 2" and up, which do not pass as scantlings or planks.	3 7	3 2	2 8	2 7
(5) <i>Battens</i> —				
½" and up by ½" and up which do not pass as planks or boarding.	2 12	2 8	2 0	1 15

### Schedule B.

The rates specified in this schedule shall be applicable in all districts or in any part of a district (excepting the Chittagong Hill Tracts) not mentioned in Schedules A and C.

(i) The rates mentioned in Schedule A shall apply for all kinds of timber grown and produced in the district.

(ii) For timber not grown and produced in the district the following rates, to which may be added the rail freight payable at public tariff rates on timber booked in minimum permissible wagon-loads from the nearest possible source of origin of the class of timber, shall be applicable:—

### I—LOGS (not classifying as PILES) per cubic foot.

	Class A.	Class B.
	Rs. a.	Rs. a.
5' and up mid-girth	2 12	2 8
4' to under 5' mid-girth	2 8	2 3
3' to under 4' mid-girth	2 3	1 15

(Pies nine per cubic foot less for each foot, or part of a foot exceeding 6 inches, under 12 feet in length; pies six per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)



## Class C. Class D.

Rs. a. Rs. a.

3' and up mid-girth and any length

1 4 1 1

(A surcharge not exceeding 25 per cent. is allowed for logs specially selected quality measured for supply to the match manufacturing and plywood industries.)

## II—PILES per cubic foot.

Class A. Class B. Class C.

Rs. a. Rs. a. Rs. a.

Minimum top diameter 10" by—  
35' and up length .. ..

3 11	3 7	} 2 4
3 5	3 0	

25' to below 35' .. ..

## III—BALLIES and POLES (not classifying as LOGS or PILES) per running foot.

(Green sal, teak and miscellaneous hardwoods.)

Mid-diam.

By under 8' to under 12' to 16' to under 20' to 25' and  
8'. 12'. under 16'. 20'. under 25'. up.

Rs. a. p. Rs. a. p. Rs. a. p. Rs. a. p. Rs. a. p. Rs. a. p.

1" to 3" ..	..	0 0 2	0 0 3	0 0 4	0 0 7	0 0 10	0 1 1
3½" to 5" ..	..	0 1 6	0 1 9	0 2 3	0 2 6	0 3 0	0 3 3
5½" to 7" ..	..	0 2 6	0 3 0	0 3 3	0 5 0	0 5 6	0 6 0
7½" to 9" ..	..	0 5 3	0 6 0	0 7 6	0 9 0	0 9 6	0 10 6
Over 9" ..	..	0 8 6	0 10 9	0 13 0	1 1 6	1 3 9	1 5 9

## IV—SAWN TIMBER in lengths 6 to 12 feet, per cubic foot.

(Annas two per cubic foot less for each foot, or part of a foot exceeding 6 inches, less than 6 feet in length; and anna one per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)

Class A. Class B. Class C. Class D.

Rs. a. Rs. a. Rs. a. Rs. a.

## (1) Beams—

6" to 9" by 7" to 9" ..	..	..	3 13	3 7	2 6	2 15
10" to 11" by 6" and up ..	..	..	4 0	3 10	2 10	2 8
12" and up by 6" and up ..	..	..	4 3	3 13	2 14	2 11

## (2) Scantlings—

3" and up by 4" and up, which do not pass as beams.	3 14	3 9	2 8	2 6
---	------	-----	-----	-----

## (3) Planks—

1" and up by 6" and up, which do not pass as scantling	4 0	3 11	2 10	2 8
--	-----	------	------	-----

## (4) Boarding—

½" and up by 2" and up, which do not pass as scantlings or planks.	4 3	3 14	2 12	2 11
--	-----	------	------	------

## (5) Battens—

½" and up by ½" and up, which do not pass as planks or boarding.	3 7	3 3	2 4	2 3
--	-----	-----	-----	-----

**Schedule C.**

The rates specified in this schedule shall be applicable in Calcutta (as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by the notification under section 1 of the Calcutta Suburban Police Act, 1866), the whole of the barrackpore subdivision; the Tollygunge, Behala, Matiabruz, Maheshtolla and Budge Budge police-stations in the district of 24-Parganas; the Magra, Chinsurah, Bhadreswar, Serampore and Uttarpara police-stations in the district of Hooghly; the Uluberia, Bawria, Sankrail, Howrah, Golabari, Sibpur, Bally, Malipanchghara, Jagacha and Bantra police-stations in the district of Howrah:—

**I—LOGS (not classifying as PILES) per cubic foot.****Class A. Class B.**

		Rs. a.	Rs. a.
5' and up mid-girth	} By 12' length .. {	3 14	3 9
4' to under 5' mid-girth		3 9	3 5
3' to under 4' mid-girth		3 5	3 0

(Pies nine per cubic foot less for each foot, or part of a foot exceeding 6 inches, under 12 feet in length; and pies six per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)

**Class C. Class D.**

	Rs. a.	Rs. a.
3' and up mid-girth and any length ..	1 10	1 7

(A surcharge not exceeding 25 per cent. is allowed for logs of specially selected quality measured for supply to the match manufacturing and plywood industries.)

**II—PILES per cubic foot.****Class A. Class B. Class C.**

Minimum top diameter 10" by—	Rs. a.	Rs. a.	Rs. a.
35' and up length .. ..	4 13	4 9	} 2 14
25' to below 35' .. ..	4 6	4 2	

**III—BALLIES and POLES (not classifying as LOGS or PILES) per running foot.**

(Green sal, teak and miscellaneous hardwood.)

Mid-diam.	By under 8'.	8' to under 12'	12'to under 16'	16'to under 20'	20'to under 25'	25' and up.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1" to 3" ..	0 0 3	0 0 4	0 0 5	0 0 9	0 1 0	0 1 3
3½" to 5" ..	0 2 0	0 2 3	0 2 9	0 3 0	0 3 6	0 4 0
5½" to 7" ..	0 3 6	0 4 0	0 4 6	0 6 6	0 7 3	0 7 9
7½" to 9" ..	0 7 0	0 8 0	0 9 6	0 11 6	0 12 6	0 13 3
Over 9" ..	0 11 9	0 14 6	1 1 0	1 6 3	1 8 9	1 11 6

## IV—SAWN TIMBER in lengths 6 to 12 feet per cubic foot.

(Annas two per cubic foot less for each foot, or part of a foot exceeding 6 inches, less than 6 feet in length; and anna one per cubic foot more for each foot, or part of a foot exceeding 6 inches, over 12 feet in length.)

	Class A.	Class B.	Class C.	Class D.
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(1) <i>Beams</i> —				
6" to 9" by 7" to 9" .. .. .	4 14	4 9	3 0	2 15
10" to 11" by 6" and up .. .. .	5 1	4 12	3 5	3 2
12" and up by 6" and up .. .. .	5 5	4 15	3 10	3 6
(2) <i>Scantlings</i> —				
3" and up by 4" and up, which do not pass as beams.	4 15	4 11	3 2	3 0
(3) <i>Planks</i> —				
1" and up by 6" and up, which do not pass as scantlings.	5 1	4 13	3 5	3 2
(4) <i>Boarding</i> —				
1" and up by 2" and up, which do not pass as scantlings or planks.	5 5	4 15	3 7	3 5
(5) <i>Battens</i> —				
1" and up by 1" and up, which do not pass as planks or boarding.	4 8	4 4	2 14	2 12

*Notes.*—Applicable to Schedules A, B and C—

(i) All rates are ceiling prices for first quality timber. For second quality the ceiling prices shall be at least six annas lower for A and D and eight annas lower for B and C class timbers.

(ii) In the case of timber with serious end or middle faults the purchaser may require the seller to re-saw by not more than two cross cuts and to sell the shorter length or length of sound timber.

(iii) Except in the case of Schedule C, in which the rates are the ceiling prices at site of sale, all rates are ceiling prices for the timber delivered at the nearest Government of India Timber Storage Depot, or alongside railway; or jetty or at the purchaser's depot, provided the purchaser's depot is not more distant from the seller's depot than the nearest railway siding or jetty.

(iv) In the event of the seller not undertaking the delivery at the site required by note (iii) above, the purchaser may deduct from the price the actual cost of carriage of the timber from the site of sale to the point of delivery prescribed in note (iii).

(v) In the event of timber being requisitioned under rule 76A of the Defence of India Rules by an officer duly empowered in that behalf, the requisitioning officer may in his discretion pay less than the scheduled ceiling price, provided that he shall only exercise such discretion for a valid reason which shall be recorded in his requisition order. A current local market rate being lower than the scheduled rate shall constitute in itself a valid reason for the requisitioning officer to exercise his discretion in this respect.

*Notification No. 4011For., dated the 16th March, 1943 (published in the "Calcutta Gazette" of the 25th March, 1943, Pt. I, p. 567).*

In exercise of the powers conferred by rule 81 (2) (a) of the Defence of India Rules, the Governor is pleased to make the following orders to regulate the transport by rail of timber and bamboos from certain railway stations in Bengal:—

The export by rail of timber (round, rough, hewn and sawn except tea shooks) and bamboos from the railway stations specified in the attached Schedule "A" is prohibited except on Forest Department transit passes issued by the Forest Officers mentioned in Schedule "B" appended hereto, with the exception of the following:—

- (1) Any timber booked by any Forest Officer. This includes forest depot officers.
- (2) Any timber, including sleepers, booked under booking instructions or authority to book at Railway Material rates issued by any railway authority which includes the Sleeper Control Officer.
- (3) Any timber booked under a Military Credit Note.

#### **Schedule A.**

##### *List of railway stations.*

(a) Darjeeling-Himalayan Railway.—All stations between—

- (i) Siliguri and Geillekhola.
- (ii) Siliguri and Nuxalbari.
- (iii) Siliguri and Darjeeling.

(b) Bengal and Assam Railway.—Siliguri, Gagrakote, Matelli, Mal, Lataguri, Chalsa, Oodlabari, Damdim, Nagrakata, Carron, Chengmari, Banarhat, Binnaguri, Mujnai, Madarihat, Rajabhatkhawa, Damanpur,, Jainti, Buxa Road, Kalchini, Hamiltonganj, Alipur-Duar, Hasimara, Garopara, Rajendrapur, Joydebpur, Dalsingpara, Kaoraid, Setkhamair and Sripur.

(c) All Stations in the Chittagong district.

(d) All booking *ex*-Khulna and Canning town.

#### **Schedule B.**

##### *List of Forest Officers.*

All gazetted Forest Officers and such Forest Rangers as may be especially authorised by the Conservator of Forests on this behalf.

2. This supersedes all previous notifications on the subject.

*Notification No. 5308For., dated the 16th March, 1944 (published in the "Calcutta Gazette" of the 23rd March, 1944 Pt. I, p. 312).*

In exercise of the powers conferred by rule 81 (2) (a) of the Defence of India Rules, and in continuation of notification No. 4011For., dated 16th March, 1943, the Governor is pleased to make the following order:—

The export from any station of the Kalimpong Ropeway Co., Ltd., in the district of Darjeeling, of timber (round, rough, hewn and sawn except tea shooks) and bamboos is prohibited except on Forest Department transit passes issued by the Forest Officers mentioned in the Schedule appended hereto, with the exception of the following:—

- (1) Any timber booked by any Forest Officer. This includes forest depot officers.
- (2) Any timber booked under a Military Credit Note.

**Schedule.***List of officers.*

All gazetted Forest Officers and such Forest Rangers as may be especially authorised by the Conservator of Forests, Bengal, on this behalf.

Notification No. 20373 For., dated the 14th December, 1944 (published in the "Calcutta Gazette" of the 28th December, 1945, Pt. I, p. 1542).

In exercise of the powers conferred by rule 81 (2) of the Defence of India Rules, the Governor is pleased to issue the following orders to regulate the transport by rail or river steamer of timber from railway and steamer stations in Bengal:—

(1) The movement beyond the boundaries of the civil district of origin by rail or by river steamer of timber in the form of sawn timber, logs or poles from all railway and steamer stations in Bengal is prohibited unless covered by a transit pass issued by the Forest Utilisation Officer, Bengal.

(2) (i) Applications for permission to move timber by railway or steamer on priority shall be addressed:—

(a) to the Director, Timber Supplies, 7, Council House Street, Calcutta, when the destination station is outside Bengal or within Calcutta (as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by the notification under section 1 of the Calcutta Suburban Police Act, 1866), or within the industrial area comprising the whole of the Barrackpore subdivision; the Tollygunge, Behala, Matiaburuz, Maheshtolla and Budge Budge police-stations in the district of 24-Parganas; the Magra, Chinsura, Bhadreswar, Serampore and Uttarpara police-stations in the district of Hooghly; the Uluberia, Bawria, Sankrail, Howrah, Golabari, Shibpur, Bally, Malipanchghara, Jagacha and Bantra police-stations in the district of Howrah,

(b) to the Forest Utilisation Officer, Bengal, 35, Gopalnagar Road, Alipore, Calcutta, in all other cases.

(ii) All such applications must reach the Director, Timber Supplies or Forest Utilisation Officer as the case may be, by the 15th of the month preceding that in which transport is required and shall certify that the timber is actually ready for despatch.

(3) The undermentioned classes of timber are excluded from the operation of these orders:—

(i) all Government timber booked by officers of:—

(a) the Forests Department of Bengal;

(b) the Directorate of Movements, Civil Supplies, Bengal;

(c) the Timber Supplies Directorate of the Government of India;

(ii) railway sleepers booked under written instructions issued by the Sleeper Control Officer, Eastern Group;

iii) firewood, split or unsplit, in pieces not exceeding 3 feet in length;

iv) plough pieces; and

(v) rice pounders.

(vi) All timber, being the property of a railway, booked by one Railway Official to another on R.M.C. notes.

This supersedes all previous notifications on the subject.

**(xx) Wheat and Wheat Products.**

*Notification No. 5846D.C.S., dated the 8th July, 1943 (published in the "Calcutta Gazette" of the 15th July, 1943, Pt. I, p. 1174).*

In exercise of the power conferred by clauses (a) and (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bread (Fixation of Price) Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the date of its publication in the *Official Gazette*.

2. In this Order,—

(a) "adulterated wheat product" means a product of wheat which has been mixed with or contains any substance which is not wheat or product of wheat;

(b) "bread" means loaves (either white, brown or wholemeal) made from wheat products which are derived exclusively from wheat, baked in ovens and offered for sale to the public.

3. No person, bakery or firm engaged in making or selling bread shall sell bread of the varieties specified in column 1 of the table below at prices higher than those specified in the corresponding entries in column 2 of that table:—

Varieties of bread.	Prices.
1	2
One lb. loaf (white, brown or wholemeal) ..	.. 7 annas each.
One $\frac{1}{2}$ lb. loaf (white, brown or wholemeal) ..	.. 3 annas 6 pias each.
Six loaves weighing one lb. (white, brown or wholemeal).	7 annas for six.

4. No person, bakery or firm shall use any adulterated wheat product in making any bread for sale.

*Notification No. 1745, dated the 14th September, 1943 (published in the "Calcutta Gazette" of the 23rd September, 1943, Pt. I, p. 1477).*

In exercise of the power conferred by clauses (a) and (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Chittagong Hill-tracts Bread (Fixation of Price) Order, 1943.

(2) It extends to the Chittagong Hill-tracts.

(3) It shall come into force on the date of its publication in the *Official Gazette*.

## 2. In this Order—

- (a) “adulterated wheat product” means a product of wheat which has been mixed with or contains any substance which is not wheat or product of wheat;
- (b) “bread” means loaves (either white, brown or wholemeal) made from wheat products which are derived exclusively from wheat, baked in ovens and offered for sale to the public.

3. No person, bakery or firm engaged in making or selling bread shall sell bread of the varieties specified in column 1 of the table below at prices higher than those specified in the corresponding entries in column 2 of that table:

Varieties of bread.		Prices.
1		2
One lb. loaf (white, brown or wholemeal) ..	..	7 as. each.
One $\frac{1}{2}$ lb. loaf (white, brown or wholemeal) ..	..	3 as 6 p. each.
Six loaves weighing one lb. (white, brown or wholemeal)		7 as. for six.

4. No person, bakery or firm shall use any adulterated wheat product in making any bread for sale.

*Notification No. 2188Com.(C.D.), dated the 12th August 1942 (published in the “Calcutta Gazette” of the 20th August, 1942, Pt. IA, p. 2030).*

### Order.

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct—

- (a) that no consignment of wheat arriving at any of the railway and steamer stations in Calcutta and in the municipality of Howrah shall be delivered to the consignee or to anybody else except under a permit in writing issued by the Chief Controller of Prices, Bengal, or by any officer authorised in writing by the said Chief Controller in this behalf;
- (b) that no such consignee or other person shall dispose of any such wheat except under, and in accordance with the conditions of, another permit in writing to be issued by an officer authorised in writing by the Chief Controller of Prices in this behalf; and
- (c) that permits under clauses (a) and (b) of this order shall not be transferable.

*Explanation.*—In this order “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908.

*Notification No. 8389C.S., dated the 27th November, 1942 (published in the “Calcutta Gazette” of the 10th December, 1942, Pt. I, p. 2732).*

### Order.

Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community to regulate the production and distribution of *atta* and flour in Calcutta and the neighbouring industrial area;

Now, therefore, in exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of order No. 181Com.(C.D.), dated the 18th April, 1942, the Governor is pleased to make the following order, namely:—

1. In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (2) "neighbouring industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly; and
- (3) "week" means a period of seven days beginning at midnight on Sunday night.

2. Every owner, manager or other persons in charge of a flour or *atta* mill situated within Calcutta or the neighbouring industrial area—

- (a) shall submit on the first day of each week to the Controller of Civil Supplies, Calcutta, in the form specified in this behalf by the said Controller, a true and accurate statement of the total quantities of each wheat product produced in his mill in course of the preceding week, and
- (b) shall, notwithstanding any previous commitments, reserve twenty-five per cent. of the total products mentioned in the said statement, in the shape of standard qualities of *atta*, red or white, or of household flour, and sell the portion so reserved to persons authorised to purchase the said products by formal written delivery orders issued by or under the authority of the Controller of Civil Supplies, Calcutta:

Provided that it shall not be necessary for any such person to reserve the said twenty-five per cent. of such total products or any portion thereof for sale to persons authorised as aforesaid for a period exceeding ten days from the date on which the statement relating to such products is submitted.

3. It shall be the duty of every owner of a flour or *atta* mill situated within Calcutta or the neighbouring industrial area who is not in charge of such mill to ensure that the provisions of this order are complied with and such owner shall be jointly responsible with the manager or other person in charge of such mill for due compliance with the said provisions.

4. Nothing in this order shall apply to *Chakkiwallahs*.

*Notification No. 9033C.S., dated the 28th December, 1942 (published in the "Calcutta Gazette" of the 31st December, 1942, Pt. I, p. 2876).*

Whereas it appears to the Provincial Government that, it is necessary for maintaining supplies and services essential to the life of the community to regulate the production and distribution of *atta* and flour in Calcutta and the neighbouring industrial area;



Now, therefore, in exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of all previous orders, the Governor is pleased to make the following order, namely:—

1. In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (2) "neighbouring industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

2. Every owner, manager or other person in charge of a flour or atta mill situated within Calcutta or the neighbouring industrial area—

- (a) shall submit every morning to the Controller of Civil Supplies, Calcutta, in the form already specified in this behalf by the said Controller a true and accurate statement of the total quantities of each wheat product produced in his mill in course of the preceding day, and
- (b) shall, notwithstanding any previous commitments, hold the entire quantities so produced and reported at the orders of the Controller of Civil Supplies, Calcutta, and sell or dispose of the products to no one except to persons authorised to purchase the said products by formal written delivery orders issued by or under the authority of the Controller of Civil Supplies, Calcutta.

3. It shall be the duty of every owner of a flour or atta mill situated within Calcutta or the neighbouring industrial area who is not in charge of such mill to ensure that the provisions of this order are complied with and such owner shall be jointly responsible with the manager or other person in charge of such mill for due compliance with the said provisions.

4. Nothing in this order shall apply to Chakkiwallahs.

*Notification No. 1313(a)D.C.S., dated the 5th April, 1943 (published in the "Calcutta Gazette" of the 8th April, 1943, Pt. I, p. 653).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct that any of the commodities specified in Schedule I below shall not be moved by any person from any place within any area specified in Schedule II below to any place outside that area except under and in accordance with the conditions of a permit in writing issued by or under the authority of the Foodgrains Purchasing Officer, Bengal, or of the District Magistrate of the district in which the commodity is situated:

Provided that no permit will be necessary to move any consignment of the said commodities not exceeding two and a half maunds in weight.

**Schedule I.**

Wheat.

Wheat products.

**Schedule II.**

District of Murshidabad.

District of Rajshahi.

District of Nadia.

District of Pabna.

District of Malda.

*Notification No. 208F.G., dated the 24th August, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 26th August, 1943, p. 141).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that in the town of Calcutta, as defined in the Calcutta Police Act, 1866, together with its suburbs as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, the maximum prices of the commodities mentioned in column 1 of the Schedule below, shall, with effect from the 27th August, 1943, be as specified in the corresponding entries in column 2 of that Schedule—

**Schedule.**

Commodities.	Maximum prices.
1. Wheat	... Rs. 14-4 (Rupees fourteen and annas four) per maund.
2. Atta	... Retail 0-7-0 (annas seven) per seer.
3. Flour	... Retail 0-8-0 (annas eight) per seer.

*Notification No. 927F.G., dated the 17th September, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 18th September, 1943, p. 165).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in modification of notification No. 208F.G., dated the 24th August, 1943, the Governor is pleased to direct that in the town of Calcutta, as defined in the Calcutta Police Act, 1866, together with its suburbs as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, the maximum prices of the commodities mentioned in column 1 of the schedule below, shall, with effect from the 20th September, 1943, be as specified in the corresponding entries in column 2 of that schedule:—

**Schedule.**

Commodities.	Maximum prices.
1	2
(1) Wheat	... Rs. 12-12 per maund.
(2) Atta	... Retail, annas 6 per seer.

*Notification No. 1184 F.G., dated the 24th September, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 25th September, 1943, p. 169).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that in the town of Calcutta, as defined in the Calcutta Police Act, 1866, together with its suburbs as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and in the municipality of Howrah

the maximum retail prices of the commodities mentioned in column 1 of the Schedule below, shall, with effect from the 27th September, 1943, be as specified in the corresponding entries in column 2 of that Schedule:—

**Schedule.**

Commodities. 1	Maximum prices. 2
1. Wheat	... As. 5-6 (annas five and six pies) per seer.
2. Bazra	... As. 4-6 (annas four and six pies) per seer.
3. Jowar	... As. 4-6 (annas four and six pies) per seer.

*Notification No. 2682 F.G., dated the 10th November, 1943 (published in the "Calcutta Gazette" of the 25th November, 1943, Pt. I, p. 1711).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in partial modification of notification No. 5846D.C.S., dated the 8th July, 1943, the Governor is pleased to direct that the maximum prices of the commodities mentioned in column 1 of the Schedule below shall, with effect from the 18th November, 1943, be as specified in the corresponding entries in column 2 of that Schedule:—

**Schedule.**

Commodities. 1	Maximum prices. 2
One lb. loaf of bread	... 6 annas each.
One half pound loaf of bread	... 3 annas each.
Six loaves of bread weighing one pound.	6 annas.

*Notification No. 5184 F.G., dated the 30th December, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 30th December, 1943, p. 225).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in modification of notification No. 208F.G., dated the 24th August, 1943, and No. 927F.G., dated the 17th September, 1943, the Governor is pleased to direct that in the town of Calcutta, as defined in the Calcutta Police Act, 1866, together with its suburbs as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, the maximum prices of the commodities mentioned in column 1 of the schedule below, shall, with effect from the 1st January, 1944, be as specified in the corresponding entries in column 2 of that schedule—

**Schedule.**

Commodities. 1	Maximum prices 2
1. Atta	... Retail 5 annas per seer.
2. Flour	... Retail 6 annas per seer.

**Notification No. 45 F.G., dated the 4th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 6th January, 1944, p. 1).**

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in modification of notification No. 2682F.G., dated the 10th November, 1943, the Governor is pleased to direct that in—

- (1) Calcutta as defined in clause (ii) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings North of the South Edge of Clyde Row and Strand Road to the river bank;
- (2) The port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;
- (3) The South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and
- (4) The municipalities of Howrah and Bally-Belur in the district of Howrah;

the maximum prices of the commodities mentioned in column 1 of the schedule below, shall, with effect from the 7th January, 1944, be as specified in the corresponding entries in column 2 of that schedule:—

#### **Schedule.**

Commodities. 1	Maximum prices. 2
One 1 lb. loaf of bread	... 5 annas each.
One half pound loaf of bread	... 2 annas and 6 pies each.

1\*

**Notification No. 294 F.G., dated the 15th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 24th January, 1944, p. 38).**

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### **Order.**

1. No consignment or any part thereof of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Calcutta and the industrial area shall be delivered to the consignee, or to anybody else, unless such delivery is authorised by an endorsement in writing to this effect made by the <sup>2</sup>[Director-General, Food, Department of Civil Supplies], Bengal, or an officer empowered by him in this behalf on the railway or steamer receipt under which such consignment or part thereof is deliverable:

[Provided that nothing in this Order shall apply to the delivery of (1) any consignment of commodities other than wheat and wheat products the total weight of which does not exceed two and a half maunds, or (2) any consignment which is booked under a military credit note or to an officer of the Defence Services by designation.]

**Explanation.**—In this Order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

\*Omitted by notification No. 8473D.C.S., dated the 24th August, 1944.

<sup>2</sup>Substituted by notification No. 3336D.C.S., dated the 31st March, 1945.

- (2) "Consignee" includes the Director of Civil Supplies, Bengal, or any officers of Government to whom any of the commodities specified in the Schedule has been consigned; and
- (3) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and Sadar and Serampore subdivisions of the district of Hooghly.

2. No railway or steamer receipt in respect of any consignment or part thereof of any of the commodities specified in the Schedule below arriving at any of the railway or steamer stations in Calcutta or the industrial area shall be transferred by sale or otherwise to any person other than the consignee unless the <sup>1</sup>[Director-General, Food, Department of Civil Supplies], Bengal, has specially permitted such transfer by an order in writing.

### The Schedule.

(1) Wheat and wheat products (including *atta*, *maida*, *rawa*, *suji* and bran). (2) *Jowar*. (3) *Bajra*. (4) Maize. (5) Barley. (6) Gram, any variety.

*Notification No. 2372D.C.S., dated the 25th March, 1944 (published in the "Calcutta Gazette" of the 30th March, 1944, Pt. I, p. 344).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that in the Calcutta Industrial Area the maximum price of one three ounce loaf of bread shall be one anna each.

*Explanation.*—In this Order "Calcutta Industrial Area" has the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943.

*Notification No. 6270D.C.S., dated the 19th June, 1944 (published in the "Calcutta Gazette" of the 22nd June 1944, Pt. I, p. 827).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in modification of notification No. 2682F.G., dated the 10th November 1943, the Governor is pleased to direct that in the Calcutta Industrial (Extended) Area, the maximum prices of the commodities mentioned in column 1 of the Schedule below shall be as specified in the corresponding entries in column 2 of that Schedule.

### Schedule.

Commodities.	Maximum prices.
One one-pound loaf of bread ...	5 annas each.
One half-pound loaf of bread ...	2 annas and 6 pies each.

*Explanation.*—In this Order, "Calcutta Industrial (Extended) Area" has the same meaning as in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 6487D.C.S., dated the 26th June, 1944 (published in the "Calcutta Gazette" of the 29th June, 1944, Pt. I, p. 841).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that

<sup>1</sup>Substituted by notification No. 3336D.C.S., dated the 31st March, 1945.

in the Calcutta Industrial (Extended) Area the maximum retail prices of the commodities mentioned in column 1 of the Schedule below shall be as specified in the corresponding entries in column 2 of that Schedule.

**Schedule.**

1	2
Commodities.	Maximum retail prices.
1. Wheat	... As. 4-6 (annas four and pies six) per seer.
2. Atta	... As. 5 (annas five) per seer.
3. Flour	... As. 6 (annas six) per seer.
4. Suji	... As. 6 (annas six) per seer.

*Explanation.*—In this Order “Calcutta Industrial (Extended) Area” has the same meaning as in the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Notification No. 8475 D.C.S., dated the 24th August, 1944 (published in the “Calcutta Gazette, Extraordinary” of the 28th August, 1944, p. 208).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that in the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area, the maximum prices of the commodities mentioned in column 1 of the Schedule below shall with effect from the 28th August, 1944, be as specified in the corresponding entries in column 2 of that Schedule:—

**Schedule.**

1	2
Commodities.	Maximum prices.
One two ounce loaf of bread	... 6 pies each.
One four ounce loaf of bread	... 1 anna and 3 pies each.

*Explanation.*—In this Order “the Calcutta Industrial Area” and “the Calcutta Industrial (Extended) Area” have the same meanings as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

2. This cancels notification No. 2372 D.C.S., dated the 25th March 1944.

*Notification No. 5226 F.G. (Pro.), dated the 4th October, 1944 (published in the “Calcutta Gazette, Extraordinary” of the 5th October, 1944).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in partial modification of notification No. 5215 F.G., dated the 31st December 1943, the Governor is pleased to direct that in—

- (1) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of the Hastings north of the south edge of Clyde Row and Strand Road to the river bank;

- (2) the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;
- (3) the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas;
- (4) the municipalities of Howrah and Bally-Belur in the district of Howrah;
- (5) the municipalities of (a) Budge-Budge, (b) South Dum Dum, (c) Dum Dum, (d) Baranagore, (e) Kamarhati, (f) Panihati, (g) Kharda, (h) Titagar, (i) South Barrackpore, (j) North Barrackpore, (k) Garulia, (l) Bhatpara, (m) Naihati, (n) Halisahar, and (o) Kanchrapara and also the Barrackpore Cantonment in the district of 24-Parganas; and
- (6) the municipalities of (a) Uttarpura, (b) Kotrung, (c) Rishra, (d) Konnagore, (e) Serampore, (f) Baidyabati, (g) Champdani, (h) Bhadreswar, (i) Hooghly-Chinsurah, and (j) Bansberia in the district of Hooghly;

the maximum price of the commodity mentioned in column 1 of the Schedule below shall with effect from the date of publication of this notification in the *Calcutta Gazette* be as specified in column 2 of that Schedule.

#### Schedule.

Commodity.	Maximum retail price.
1 Sooji (Semolina)	... As. 8 (annas eight) per seer.

*Notification No. 11654D.C.S., dated the 9th December, 1944 (published in the "Calcutta Gazette" of the 14th December, 1945, Pt. I, p. 1487).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of notifications Nos. 5215F.G., dated the 31st December 1943, 6487D.C.S., dated the 26th June, 1944, and 5226F.G. (Pro.), dated the 4th October, 1944, the Governor is pleased to direct that in the Calcutta Industrial Area and the Calcutta Industrial (Extended) Area, the maximum retail prices of the commodities mentioned in column 1 of the Schedule below, shall be as specified in the corresponding entries in column 2 of that Schedule:—

#### Schedule.

1 Commodities.	2 Maximum retail price per se
1. Wheat	... As. 5 (annas five).
2. Atta including wholemeal atta	As. 5 (annas five).
3. Flour	... As. 6 (annas six).
4. Wholemeal flour	... As. 5-6 (annas five pies six).
5. Suji (Semolina)	... As. 8 (annas eight).

*Explanation.*—In this order “The Calcutta Industrial Area” and “The Calcutta Industrial (Extended) Area” have the same meaning as in the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944, respectively.

**(xxi) Miscellaneous.**

**Notification No. 4018 Agri., dated the 19th October, 1944** (published in the "*Calcutta Gazette, Extraordinary*" of the 21st October, 1944, p. 227).

In exercise of the powers conferred by clauses (aa) and (f) of sub-rule (2) of rule 81 and rule 116 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Agricultural Crops Inquiries Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(3) It shall come into force at once.

2. In this Order—

(a) "Agricultural Development Commissioner" means the person appointed as the Agricultural Development Commissioner by the Provincial Government and includes any person appointed by the Provincial Government to discharge the functions of the Agricultural Development Commissioner under this Order:

(b) "crops" means any agricultural crops grown in Bengal;

(c) "land" includes any land which is covered with water at any time of the year;

(d) "Recording Officer" means the Agricultural Development Commissioner and includes any person authorised by the Agricultural Development Commissioner to discharge all or any of the functions of a Recording Officer under this Order in any area.

3. Every owner or occupier of any land shall, on demand being made either orally or in writing by a Recording Officer, furnish forthwith to that officer such information as may be asked for by the said officer relating to the area of such land and the nature and the extent of crops standing thereon or the yield of crops therefrom.

4. A Recording Officer may, together with such persons as he may consider necessary, enter upon any land and inspect and make a survey or take measurements of such land or do any other acts which may be necessary for the ascertainment of its area, the nature and the extent of crops standing thereon or the yield of crops therefrom.

**Notification No. 4010 F.G., dated the 22nd November, 1944** (published in the "*Calcutta Gazette*" of the 25th November, 1944, Pt. I, p. 1730).

In exercise of the power conferred by notification No. 2436 F.G., dated the 4th November, 1943, published in Part I of the *Calcutta Gazette* of the 11th November, 1943, on page 1625, I hereby authorise the officers mentioned



in column 2 of the table below to issue permits for the transport of potatoes from the areas specified in the corresponding entries in column 1 of the said table to any place outside Bengal, namely:—

Areas. 1	Officers. 2
1. Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	1. Assistant Controller (Other Foodstuffs), Department of Civil Supplies, 7, Church Lane, Calcutta.
2. Each district of Bengal excluding the suburbs of Calcutta.	2. District Magistrate of the district.
3. Each subdivision in Bengal	3. Subdivisional Officer of the subdivision.

*Note.*—Application for permit shall be made in Form I annexed herewith and the permit shall be granted in Form II annexed herewith.

### Form I.

From.....

To—The Director of Civil Supplies, Bengal/Assistant Controller (Other Foodstuffs), Department of Civil Supplies, 7, Church Lane, Calcutta/District Officer.....District/Subdivisional Officer  
.....Subdivision.

SIR,

Please permit me/us to transport to.....in the Province/State of.....the quantities of potatoes shown below:—

1. Date within which applicant desires to transport.....
2. Quantity proposed to be transported in maunds (maund of 82-2/7 lbs).....
3. Station of despatch.....district.
4. Name of consignee.....
5. Address.....
6. Station of destination.....
7. District and Province/State.....
8. Price per maund.....

I/We also hereby certify that the particulars given above are correct to the best of my/our knowledge and belief.

*Signature of applicant.*

*Note.*—As a permit issued will cover only one consignment, separate applications should be made in respect of each separate consignment.

**Form II.****Not transferable.**

Number.....

*Permit to transport.*

Valid from.....up to.....

Quantity in terms of maunds (82-207 lbs.)

Name of consignor.....

Address.....

Station of despatch.....

Name of consignee.....

Address.....

Station of destination.....

District and Province/State.....

Price per maund.....

*Director of Civil Supplies, Bengal.*  
*Assistant Controller (Other Foodstuffs),*  
*Department of Civil Supplies, 7, Church Lane,*  
*Calcutta.*

*District Magistrate,*  
*Subdivisional Officer.*

*Conditions of permit.*

1. This permit is not transferable.
2. It is liable to be cancelled without previous notice at the absolute discretion of the issuing authority.
3. It is valid only for the period stated in the permit.
4. Any permit that is taken out but is not utilised should be returned immediately to the issuing authority.
5. Every consignor shall furnish correctly such information as may be demanded from him and shall carry out such instructions as may be given to him from time to time by the *Director of Civil Supplies, Bengal*/Assistant Controller (Other Foodstuffs), Department of Civil Supplies, 7, Church Lane, Calcutta/District Magistrate...../Subdivisional Officer

*Notification No. 2436 F.G., dated the 4th November, 1943 (published in the "Calcutta Gazette" of the 11th November, 1943, Pt. I, p. 1625).*

In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that no person shall move any potatoes in any manner or cause any potatoes so to be moved, from any place within Bengal to any place outside Bengal

except under and in accordance with the terms and conditions of a permit issued in writing <sup>1</sup>[by the Provincial Government or by any officer authorised in this behalf by the Provincial Government]:

Provided that nothing in this Order shall apply to the moving of potatoes by any person:—

- (i) from any place within Bengal to any place outside Bengal of any quantity not exceeding half a maund if such potatoes are being carried as personal luggage for private consumption, or
- (ii) for military purposes.

*Notification No. 20159 Ex., dated the 12th Decmeber, 1944 (published in the "Calcutta Gazette" of the 14th December, 1944, Pt. I, p. 1492).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

1. (1) This Order may be called the Bengal Denatured Spirit Control Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(8) It shall come into force on the 14th day of December, 1944.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (a) "importer" means a person who imports any denatured spirit;
- (b) "manufacturer" means a person who manufactures any denatured spirit;
- (c) "retailer" means a person who holds a licence under the Act for the retail sale of denatured spirit;
- (d) "the Act" means the Bengal Excise Act, 1909;
- (e) the expressions "Bengal", "Collector", "denatured spirit", "Excise Commissioner", "import" and "manufacture" and expressions referring to sale shall have the same meanings as in the Act; and
- (f) "wholesaler" means a person who holds a licence under the Act for the wholesale sale of denatured spirit.

3. No denatured spirit manufactured in any distillery or bonded warehouse in Bengal or imported into Bengal shall be sold except in accordance with such directions as may from time to time be given in this behalf in writing by the Excise Commissioner.

4. No wholesaler shall sell denatured spirit to any person other than a holder of a permit granted under the Act for the possession of denatured spirit in excess of five gallons or a retailer:

Provided that the Excise Commissioner may by special order in writing authorise the sale of denatured spirit by a wholesaler to another wholesaler.

5. No retailer shall sell denatured spirit in any quantity exceeding sixteen ounces at one time to any one person.

Provided that nothing in this paragraph shall prohibit the sale by any retailer to the holder of a permit granted under the Act for the possession of denatured spirit up to a limit of five gallons, such quantity of denatured spirit as may be covered by such permit.

<sup>1</sup>Substituted by notification No. 117 Supply, dated the 21st July, 1944.

6. No person not being the holder of a licence under the Act to manufacture or sell denatured spirit shall have in his possession any quantity of denatured spirit in excess of sixteen ounces except under a permit granted by the Collector in that behalf under the Act.

7. The maximum prices at which denatured spirit may be sold by the classes of persons specified in column 1 of the table below shall be the amounts specified in the corresponding entries in column 2 of that table:—

**Table.**

1	2
(1) Manufacturer or importer ...	Rs. 4-4-0 per gallon <i>plus</i> the pass fee levied under the provisions of the Act.
(2) Wholesaler ...	Rs. 512-0 per gallon.
(3) Retailer ..	Rs. 7-4-0 per gallon when sold in bulk to permit holders.
	Re. 0-12-0 per bottle of 16 ounces exclusive of the price of the bottle.
	Re. 1-0-0 per bottle of 16 ounces inclusive of the price of the bottle.

8. The Excise Commissioner or any person authorised by the Excise Commissioner in this behalf in writing may require any manufacturer, importer, wholesaler or retailer or any holder of a permit granted under the Act for the possession of denatured spirit in excess of five gallons to produce such books, accounts or other documents or to furnish such returns or information relating to the manufacture, import, receipt, sale or stock of denatured spirit as may be necessary for the purpose of securing compliance with this Order and such manufacturer, importer, wholesaler or retailer or such holder of permit, as the case may be, shall comply with such requisition.

9. Every holder of a permit granted under the Act for the possession of denatured spirit shall allow such officer of the Excise Department as may be authorised in this behalf in writing by the Excise Commissioner to verify the stock of denatured spirit of such holder and to examine the accounts relating to such denatured spirit and shall, if required by such officer, assist such officer in checking the quantity of such stock.

*Notification No. 7992D.C.S., dated the 7th June, 1945 (published in the "Calcutta Gazette" of the 14th June, 1945, Pt. I, p. 1003).*

In exercise of the powers conferred by sub-rule 2) of rule 81 of the Defence of India Rules and in supersession of the Order published with notification No. 8389C.S., dated the 27th November 1942, the Governor is pleased to make the following Order, namely,—

1. (1) This Order may be called the Bengal Flour Mills Control Order, 1945.

(2) It shall apply to the areas specified in Schedule I to this Order.

2. In this Order—

(a) "Director-General" means the Director-General of Food in the Department of Civil Supplies, Government of Bengal, and includes any person authorised by the said Director-General to perform all or any of the functions of the Director-General under this Order.

(b) "wheat product" means atta, flour (*maida*), wholemeal atta, wholemeal flour, semolina (*suji*), bran and refraction whether produced wholly from wheat or from an admixture of wheat with other foodgrains.

(c) "miller" means a person carrying on the business of manufacturing wheat products by the use of roller mills, that is, by mills in which the grinding is done by grooved steel or iron rollers worked by mechanically transmitted power and includes a proprietor, director, managing agent, manager of such a mill or a person otherwise in charge of such a mill.

3. With effect from the date on which this Order comes into force in any area, every miller in such area shall submit to the Director-General in the form specified in Schedule II to this Order, a daily return of milling and deliveries showing the quantities of wheat and other grains received and in stock on the day in respect of which the return is made.

4. No miller shall sell or dispose of any wheat product except bran and refraction manufactured in his mill except in accordance with a delivery order in writing issued by the Director-General:

\* Provided that nothing in this paragraph shall prevent an appointed wholesaler, being a flour mill, from supplying wheat products to the holder of a ration authority in accordance with the provisions of the Calcutta Industrial Area Rationing Regulations, 1943, and the Calcutta Industrial (Extended) Area Rationing Regulations, 1944.

*Explanation.*—In this paragraph the expressions "appointed wholesaler" and "ration authority" shall have the same meanings as in the Bengal Rationing Order, 1943.

5. (1) Every miller shall comply with such general or special directions as may from time to time be given to him by the Director-General for the purpose of giving effect to the provisions of this Order.

(2) Without prejudice to the generality of the powers conferred by subparagraph (1), such directions may provide for,—

(a) the fixation of extraction percentages of the different kinds of wheat products;

(b) the regulation of the extent to which other grain may be mixed with wheat in the manufacture of wheat products;

(c) the regulation of percentages of different varieties of wheat to be used in milling;

(d) the order of priority in which deliveries shall be given against the different delivery orders issued under paragraph 4 of this Order; and

\* (e) the loading of wagons, if any, at the mill sidings.

<sup>1</sup>[5A. The Provincial Government may, by general or special Order,—

(a) exclude any class of wheat or wheat products from the operation of all or any of the provisions of this Order;

(b) exempt any miller from all or any of the provisions of this Order.]

6. The Director-General may,—

(a) enter, inspect or search any premises in which business is carried on by a miller for the purposes of ascertaining if the provisions of this Order and the directions given by him under paragraph 5 of this Order are being complied with;

<sup>1</sup>Inserted by notification No. 10456D.C.S., dated the 7th August, 1945.

(b) require any miller,—

- (i) to produce before him any accounts, registers, vouchers or other documents relating to the milling, sale or purchase of wheat or wheat products by such miller, and
- (ii) to furnish any other information that may be necessary for giving effect to the provisions of this Order.

### Schedule I.

[See paragraph 1 (2).]

1. Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923, together with the Esplanade and that part of Hastings north of the south edge of Clyde Row and Strand Road to the river bank;
2. the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;
3. the South Suburban Municipality and the municipalities of Garden Reach and Tollygunge in the district of 24-Parganas; and
4. the municipalities of Howrah and Bally-Belur in the district of Howrah.

### Schedule II.

(See paragraph 3.)

#### PART I.

*Daily return showing stock of wheat products.*

Mill.....

Date.....

	Opening stock.	Production during the day.	Deliveries during the day.	Closing balance.
1	2	3	4	5
Wh. M. Atta ..				
Wh. M. flour ..				
Suji ..				

Signature.....  
(On behalf of the mill.)

## PART II.

*Daily return showing stock of whole-grains.*

Mill.....

Date.....

1	Opening stock.	Receipt during the day.	Shot into bins during the day.	Closing balance in mds.	
				5(a)	5(b)†
In godowns* ..					
Wheat in bins ..					
In godowns* ..					
Barley in bins ..					

\*In maunds for the weighed quantity and in bags for the unweighed balance in the case of the mills reporting "short-weights".

†"Approximate" only in the case of mills reporting "short-weights" because some bags would remain unweighed but, correct maundage for all the other mills.

Signature.....

(On behalf of the mill.)

## PART III.

Mill.....

Date (of deliveries).....

Allottees.*	Permit No. or programme. No.	Allotment.			Deliveries during the day.			Balance outstanding.			Remarks.
		3			4			5			
		W. Atta.	W. Flour.	Suji.	W. Atta.	W. Flour.	Suji.	W. Atta.	W. Flour.	Suji.	
1	2										6

\*Strictly according to serials and names in the monthly allotment chart issued to the mills.

Signature.....

(On behalf of the mill.)

Notification No. 8593 F.G. (Dist.) W., dated the 6th August, 1945 (published in the "Calcutta Gazette" of the 9th August, 1945, Pt. I, p. 1312).

Under sub-paragraph (a) of paragraph 2 of the Bengal Flour Mills Control Order, 1945, I hereby authorise the officers mentioned in column 2

of the table below to perform the functions of the Director-General under the provisions of the said Order specified in the corresponding entries in column 1 of that table:—

Functions. 1	Officers. 2
1. Issuing Delivery Order under paragraph 4.	Deputy Director of Supply and Assistant Director of Supply in charge of wheat.
2. Issuing general or special directions under paragraph 5.	Deputy Director of Supply and Assistant Director of Supply in charge of wheat.
3. Entering, inspection or search information under paragraph 6.	(a) All officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer. (b) All officers of and above the rank of Inspectors of the Enforcement Branch, C.I.D., Bengal. (c) Director of Supply; Deputy Director of Supply and Assistant Director of Supply in charge of wheat; Assistant Director of Inspection and Control in charge of wheat. (d) All Chief Inspectors (Wheat) and Inspectors (Wheat) under the Directorate of Supply.
4. Inspection of Accounts, Registers, Vouchers and other documents, taking samples and requiring a miller to furnish of premises, under paragraph 6.	(a) Director of Supply; Deputy Director of Supply and Assistant Director of Supply in charge of wheat; Assistant Director of Inspection and Control in charge of wheat. (b) All Chief Inspectors (Wheat) and Inspectors (Wheat) under the Directorate of Supply.

*Notification No. 3486 Agri., dated the 7th September, 1944 (published in the "Calcutta Gazette" of the 14th September, 1944, Pt. I, p. 1146).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Manure Dealers' Licensing Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Dealer" means a person engaged in any undertaking which involves the sale of manure in quantities weighing one maund or more in any transaction and includes an oil miller;



- (b) "Director" means the Director of Agriculture, Bengal;  
 (c) "Form" means a form as set forth in the Schedule to this Order;  
 (d) "licensing authority" means—

(i) in the Presidency-town of Calcutta, the Director or any officer authorised by him to receive applications for licences and to issue licences under this Order,

(ii) elsewhere, the officer authorised by the Provincial Government to receive such applications and to issue such licences.

(e) "Manure" means oil cake, bones, bone grist, bone meal, bone super, fish meal and fish guano and includes ammonium sulphate, ammophos, niciphos, basic slag (superphosphate), potassium nitrate, kainit and proprietary manures containing one or more of such chemicals and also includes such other chemical manures as the Provincial Government may by notification in the *official gazette* declare to be manures to which this order applies;

(f) "Oil cake" means any cake obtained as residue after the extraction of oil from vegetable seeds, whether used as manure or as food for cattle; and

(g) "Oil miller" means any person owning, or having in his possession or under his control an oil mill run by power or by hand press but does not include a person owning or having in his possession or under his control a wooden or stone *ghani*.

3 No person shall engage in any undertaking which involves the sale of manure in quantities weighing one maund or more in any one transaction except under and in accordance with a licence issued in that behalf by the licensing authority.

4. Applications for licences under this Order shall be made in Form I to the licensing authority.

5. Licences issued under this Order shall be in Form II.

6. No licence shall be granted under this Order to any person—

(a) who is not a *bona fide* dealer;

(b) who, in the opinion of the licensing authority, has been profiteering in manure and hoarding or refusing to sell manure; or

(c) who is otherwise considered unsuitable by the licensing authority to be granted a licence.

7. The licensing authority shall have discretion to grant or to refuse to grant a licence to any applicant and it shall not be necessary for the licensing authority to state in an order refusing to grant a licence, the reasons for such refusal.

8. No person being the holder of a licence under this Order shall contravene any of the conditions subject to which he holds the licence and if any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order of the licensing authority.

9. The licensing authority shall have discretion to cancel, revoke, or modify any licence issued by him.

10. Any officer authorised by <sup>2</sup>[the Provincial Government or] the Inspector may enter upon and inspect any premises in which he has reason to believe that the sale or storage for sale or distribution of manure is taking place contrary to the provisions of this Order or any order made thereunder.

<sup>1</sup>Substituted by notification No. 4106Agri., dated the 25th October, 1944.

<sup>2</sup>Inserted, *ibid*.

**Schedule.****FORM I.***(See paragraph 4.)**Form of application for licence.*

1. Applicant's name and address.
2. Applicant's place of business.
3. How long the applicant has been trading in manure.
4. Quantities of manure handled, annually during the past two years—  
1942  
1943

*(quantities to be specified in maunds)*

5. I declare that the following quantities of manure are in my possession this day and are held at the places noted against them.

*Name of place.**Quantity in maunds.*

I have carefully read the conditions of the licence in Form II in the Schedule to the Bengal Manure Dealers' Licensing Order, 1944, and agree to abide by them.

*Signature of the applicant.***FORM II.***(See paragraph 5.)***THE BENGAL MANURE DEALERS' LICENSING ORDER, 1944.***Licence for sale of manure.**(Free of all fee.)*

Subject to the provisions of the Bengal Manure Dealers' Licensing Order, 1944, the orders made thereunder and to the terms and conditions of this licence is/are hereby authorised to carry on the business of selling manure in quantities weighing one maund or more in any one transaction.

2. The licensee shall carry on the aforesaid business at the following place:—

• *Note.*—When the same person carries on business in more than one place, a separate licence shall be obtained in respect of each such place and the registers and returns referred to in paragraphs 3 and 4 following shall be maintained and submitted separately for each such place.

3. The licensee shall not store manure in any place other than that specified in paragraph 2 above except with the approval of the licensing authority.

4. The licensee shall maintain a register of daily accounts showing correctly all transactions of manure in his possession or control.

It shall show—

- (a) the opening stock on each day,
- (b) the quantities produced or received on each day showing the place of origin, i.e., the name of oil miller or factory or other consignor from whom received.
- (c) the quantities sold, delivered or otherwise disposed of on each day showing the place of destination and the name of consignee; and
- (d) the closing stock on each day.

5. The licensee shall submit to the licensing authority so as to reach him not later than the 10th of each month a true return in Form III set out in the Schedule to the Bengal Manure Dealers' Licensing Order, 1944, of the stocks, receipts, deliveries and balance during the preceding month.

6. The licensee shall prominently display at his place of business a statement showing the following particulars in English or in the principal language of the district:—

Each kind of manure shall be separately shown.)

Quantity of manure stocked.....

Selling price per seer.....

Date.....

7. The licensee shall issue to every customer a correct receipt or invoice, as the case may be, in which shall be given the name, address, licence number, the date of transaction, the quantity sold, the price per seer and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by any officer authorised by <sup>1</sup>[the Provincial Government or] the Director of Agriculture, Bengal.

8. The licensee shall give all facilities at all reasonable times to any officer authorised by <sup>1</sup>[the Provincial Government or] the Director of Agriculture, Bengal, for the inspection of his accounts and stocks wheresoever they may be kept and for taking samples of such manure for examination.

9. The licensee shall comply with any directions that may be given to him by the Director of Agriculture, Bengal, or any officer, authorised <sup>2</sup>[by the Provincial Government or the said Director] in regard to the sale or storage for sale or distribution of manure.

10. The licensee shall not have in his possession or under his control any manure in excess of the quantity which should be in stock according to his account and if any such excess quantity is not properly accounted for by the licensee it shall be liable to be forfeited to His Majesty.

11. Contravention of any of the conditions of this licence, whether by the licensee or by his agent or servant or by any person who can reasonably be presumed to have been acting on his behalf, will render the licence liable to cancellation or suspension without prejudice to any other action that may be taken against the licensee.

### FORM III.

(See paragraph 5 of Form II.)

*Return of stocks, receipts and deliveries of manure for the month of*

Name.....

Address.....

*Licence No.*

*Oil Millers.*

*Quantity.*

(Each kind of oil cake should be separately shown.)

1. Stock of oil cake as per last return.

2. Quantity of oil cake produced or received during the month.

<sup>1</sup>Inserted by notification No. 4106Agri., dated the 25th. October, 1944.

<sup>2</sup>Substituted, *ibid.*

3. Quantity sold during the month.
4. Average weekly prices of each kind of oil cake.
5. Balance of stock of oil cake on the last date of the month.

*Other dealers.*

*Quantity.*

(Each kind of manure should be separately shown.)

1. Stock of manure as per last return.
2. Quantity purchased during the month.
3. Quantity of manure sold during the month.
4. Stock of manure at the end of the month.
5. Weekly average prices of manure per seer.

*Notification No. 543S., dated the 6th June, 1945 (published in the "Calcutta Gazette" of the 14th June, 1945, Pt. I, p. 1008).*

In exercise of the power conferred by sub-clause (ii) of clause (d) of paragraph 2 of the Bengal Manure Dealers' Licensing Order, 1944, published under notification No. 3486Agri., dated the 7th September, 1944, as subsequently amended, the Governor is pleased to authorise all District Magistrates and Subdivisional Magistrates to receive applications for licenses and to issue licenses under the said Order within their respective jurisdictions.

*Notification No. 2521Agri., dated the 7th July, 1944 (published in the "Calcutta Gazette" of the 13th July, 1944, Pt. I, p. 908).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Onions (Restriction of Export) Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(3) It shall come into force at once.

2. No person shall move or carry or cause to be moved or carried, by rail, road, river or otherwise any onions from any place inside Bengal to any place outside Bengal except under and in accordance with the conditions of a permit issued by the Provincial Government or by any officer authorised in this behalf by the Provincial Government:

Provided that nothing in this paragraph shall apply to the moving or carrying of onions not exceeding ten seers in weight by a *bona fide* traveller as part of his personal luggage.

3. If any person contravenes the provisions of paragraph 2 of this Order,—

(a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and

(b) without prejudice to the punishment referred to in clause (a) to which he may be liable any Court trying the offence may order that any onions together with the packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.

*Notification No. 2522Agri., dated the 7th July, 1944 (published in the "Calcutta Gazette" of the 13th July, 1944, Pt. I, p. 908).*

In exercise of the power conferred by paragraph 2 of the Bengal Onions (Restrictions of Export) Order, 1944, published under notification No. 2521-Agri., dated the 7th July, 1944, the Governor is pleased to authorise the officers mentioned in column 2 of the table below to issue permits referred to in the said paragraph in respect of the areas specified in the corresponding entries in column 1 of the said table, namely:—

Areas. 1	Officers. 2
Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	Director of Agricultural Marketing Bengal.
Each district of Bengal excluding the suburbs of Calcutta.	The District Magistrate of the district.
Each subdivision in Bengal.	The Subdivisional Magistrate of the subdivision.

*Notification No. 3069Agri., dated the 14th August, 1944 (published in the "Calcutta Gazette" of the 24th August, 1944, Pt. I, p. 1065).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Poultry and Eggs (Restriction of Export) Order, 1944.

(2) It extends to the whole of Bengal excepting the Chittagong Hill-tracts.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "egg" means an egg laid by a domestic fowl, turkey, goose, duck or guinea fowl <sup>1</sup>[and includes egg powder]; and

(b) "poultry" means any domestic fowl, turkey, goose, duck or guinea fowl.

3. No person shall move or carry or cause to be moved or carried, by rail, road, river or otherwise any poultry or egg from any place inside Bengal to any place outside Bengal except under and in accordance with the conditions of a permit issued by the Provincial Government or by any officer authorised in this behalf by the Provincial Government:

Provided that nothing in this paragraph shall apply to the moving or carrying of not more than one domestic fowl, turkey, goose, duck or guinea fowl <sup>2</sup>[six eggs and  $\frac{1}{4}$  lb. of egg powder] by a *bona fide* traveller as part of his personal luggage.

<sup>1</sup>Inserted by notification No. 138Sup., dated the 1st February, 1945.

<sup>2</sup>Substituted, *ibid.*

4. If any person contravenes the provisions of paragraph 3 of this Order—

- (a) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (4) of rule 81 of the Defence of India Rules; and
- (b) without prejudice to the punishment referred to in clause (a) to which he may be liable any court trying the offence may order that any poultry or eggs together with the packages and coverings thereof in respect of which the court is satisfied that the offence has been committed shall be forfeited to His Majesty.

*Notification No. 3070 Agri., dated the 14th August, 1944 (published in the "Calcutta Gazette" of the 28th August, 1944, Pt. I, p. 1065).*

In exercise of the powers conferred by paragraph 3 of the Bengal Poultry and Eggs (Restriction of Export) Order, 1944, published under notification No. 3069 Agri., dated the 14th August, 1944, the Governor is pleased to authorise the officers mentioned in column 2 of the table below to issue permits referred to in the said paragraph in respect of the areas specified in the corresponding entries in column 1 of the said table, namely:—

Areas. 1	Officers. 2
Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	The Director of Agricultural Marketing, Bengal.
Each district of Bengal excluding the suburbs of Calcutta.	The District Magistrate of the district.
Each subdivision in Bengal	... The Subdivisional Magistrate of the subdivision.

*Notification No. 4309 F.G., dated the 30th November, 1943 (published in the "Calcutta Gazette" of the 2nd December, 1943, Pt. I, p. 1756).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bengal Rice Mills Control Order, 1943.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the 20th December, 1943.

2. In this Order unless there is anything repugnant in the subject or context,—

(a) "Commissioner" means the Food and Civil Supplies Commissioner, Bengal, <sup>1</sup>[and includes any officer authorised by the said Commissioner to perform all or any of the functions of the Commissioner under the Order],

(b) "milling" means any process of manufacture whereby the husk is <sup>1</sup>[removed from any foodgrain] and includes any such process whereby unhusked rice is polished.

---

<sup>1</sup>Substituted by notification No. 9182 D. C. S., dated the 4th/6th July, 1945.

3. No person shall carry on the business of milling rice <sup>1</sup>[or of manufacturing rice products] by power-driven machinery except under and in accordance with the conditions of a licence issued in this behalf by the Commissioner.

4. Applications for licences under paragraph 3 shall be made to the Commissioner in Form I set out in the Schedule to this Order and licences issued under the said paragraph shall be in Form II set out in the said Schedule.

<sup>1</sup>4A. No person, being the holder of a license issued under this Order, shall subject any foodgrain other than rice in the husk to the process of milling or crush any seeds in the rice mill in respect of which such license has been issued except under a permit granted in this behalf by the Commissioner.

<sup>2</sup>4B. Every license shall, along with the fortnightly return in Form III, submit a separate statement in Form IV declaring where the godowns in which his stocks of rice or paddy are kept are situated and also the quantity of rice or paddy kept at each such godown.

5. If any person contravenes <sup>1</sup>[any provisions of this Order or] any of the conditions of a licence issued under paragraph 3, then, without prejudice to any other action that may be taken against him under the Defence of India Rules, his licence may be cancelled or suspended by the Commissioner.

6. (1) Every owner or manager of a rice mill shall comply with such directions regarding the purchase, sale or distribution of rice husked or in the husk, as may be given to him from time to time by the Commissioner.

(2) Every owner or manager of a rice mill shall, notwithstanding any existing agreement with any other person, give priority to and comply with any directions issued to him under sub-clause (1).

17. No owner or manager of a rice mill shall in any circumstances—

(a) make delivery or cause delivery to be made of any rice husked in any manner or of any rice in the husk or of any rice product to any person unless—

(i) either such person holds a permit granted in this behalf by the Commissioner or such owner or manager holds a permit granted by the Commissioner to husk paddy for the public, and

(ii) such delivery is made in accordance with the terms of such permit;

(b) move or cause to be moved any rice husked in any manner or any rice in the husk or any rice product from the premises of the rice mill to any place outside such premises except under and in accordance with the terms of a permit granted in this behalf by the Commissioner.

<sup>3</sup>7A. Where an agreement has been entered into by the Provincial Government or by any agent of the Provincial Government with any person holding a license issued under this Order for the purchase of any quantity of rice husked, such person shall give priority to the agreement so entered into and deliver the entire quantity of rice husked mentioned in the agreement to the Provincial Government or such agent, as the case may be, within the period stipulated in the agreement.

<sup>2</sup>7B. No person, being the holder of a license issued under this Order, shall purchase any quantity of paddy in any area other than an area to be endorsed in this behalf on the license by the Commissioner.

<sup>1</sup>Inserted, by notification No. 9182D.O.S., dated the 4th/6th July, 1945.

<sup>2</sup>Inserted by notification No. 4006 D. C. S., dated the 23rd March, 1946.

<sup>3</sup>Inserted by notification No. 15397 D. C. S., dated the 22nd December, 1945.

18. Any Court trying any contravention of this Order—

- (1) *may*, without prejudice to any other sentence which it may pass, direct that any property other than an article of food together with the packages and containers thereof in respect of which the court is satisfied that the contravention has occurred shall be forfeited to His Majesty, and
- (2) *shall*, without prejudice to any other sentence which it may pass, direct that any article of food together with the packages and containers thereof in respect of which the court is satisfied that the contravention has occurred shall be forfeited to His Majesty, unless for reasons to be recorded in writing the court is of opinion that the Order should not be made in respect of the whole, or as the case may be, a part of the property.

**Schedule.**

**FORM I.**

(See paragraph 4.)

*Form of application for licence.*

1. Applicant's name and address.
2. Place where the mill is situated (name of the mill, if any) and postal address of the mill.

I declare that I am the Proprietor/Manager of the rice mill covered by this application. I have carefully read the Bengal Rice Mills Control Order, 1943, and the conditions of the licence in Form II set forth in the Schedule to the said Order and I agree to abide by them.

*Signature of the Applicant.*

*Dated.....*

**FORM II.**

(See paragraph 4.)

Subject to the provisions of the Bengal Rice Mills Control Order, 1943, and to the terms and conditions of this licence..... is/are hereby authorised to carry on the business of milling rice <sup>2</sup>[/manufacturing rice products/milling rice and manufacturing rice products].

2. The licensee shall carry on the aforesaid business at the following place:—.....

*Note.*—Where the same person carries on business of milling rice <sup>2</sup>[and/or manufacturing rice products] in more than one place, a separate licence shall be obtained in respect of each such place and the returns referred to in paragraph 3 shall be submitted separately for each such place.

3. The licensee shall submit to the Commissioner returns in Form III set out in the Schedule to the Bengal Rice Mills Control Order, 1943, every fortnight (from the 1st to 15th and 16th to the end of each month) so as to reach the Commissioner within five days after the close of the fortnight.

4. The licensee shall subject rice husked or in the husk to such process and in such manner and to such extent as the Commissioner may by general or special order from time to time direct.

<sup>1</sup>Substituted by notification No. 376 D. C. S., dated the 9th January, 1946.

<sup>2</sup>Inserted by notification No. 9182 D. C. S., dated the 4th/6th July, 1945.



15. The license shall comply with any directions that may be issued by the Commissioner from time to time in regard to the manner in which his accounts and registers shall be maintained and the language in which his accounts, registers and returns shall be written.

6. The licensee shall give all facilities at all reasonable time to any person authorised by the Commissioner for the inspection of his accounts and stocks of paddy and rice wheresoever they may be kept and for taking samples of such paddy and rice for examination <sup>2</sup>[and for the holding of milling tests].

*Signature of the Officer issuing the Licence.*

*Dated.*

### FORM III.

(See paragraph 3 of Form II.)

*Return of stocks, receipts, production, deliveries and balance of paddy and rice for the fortnight ending.....*

Name.....Licence Number.

Address.....

*Daily milling capacity.*

Particulars.	Quantities in maunds.			
	Paddy.	Rice.	Broken rice.	Bran.
(1) Stock at the beginning of the fortnight ..				
(2) Quantity of paddy received for milling during the fortnight.				
(3) Total (for paddy only) .. ..				
(4) Quantity of paddy actually milled during the fortnight.				
(5) Quantities of rice, broken, and bran produced by milling the quantity in item 4.				
(6) Total of items 1 and 5 (rice, broken rice and bran).				
(7) Quantities sold or otherwise disposed of during the fortnight.				
(8) Stock at the end of the fortnight ..				

*Signature of the Licensee.*

<sup>1</sup>Substituted by notification No. 3140 F. G., (Pro.), dated the 16th May, 1944.

<sup>2</sup>Inserted by notification No. 9182D.C.S., dated the 4th & 6th July, 1945.

**FORM IV.**

(See rule 4B.)

*Form of statement declaring the situation of the godowns in which rice or paddy is stocked.*

1	2	3	4
Name of the licensee.	Address of the godown where rice or paddy is stocked.	Quantity. Rice. Paddy.	Remarks.

I hereby declare that the particulars given above are correct to the best of my knowledge and belief.

*Signature of the Licensee.*

*Notification No. 1083D.C.S., dated the 31st January/7th February, 1945 (published in the "Calcutta Gazette" of the 15th February, 1945, Pt. I, p. 261).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, and in supersession of notifications Nos. 306F.G., dated the 15th January, 1944, and 1760F.G., dated the 3rd March, 1944, I hereby authorise the following officers to exercise the powers of the Commissioner under paragraphs 3, 6 and 7 of the said Order and paragraph 6 of the form of license set out in Form II of the Schedule appended to the said Order, namely:—

- (1) Personal Assistants to the Regional Controllers of Procurement within their own regions.
- (2) Assistant Regional Controllers of Procurement within their own jurisdictions.

*Notification No. 9180D.C.S., dated the 4th/6th July, 1945 (published in the "Calcutta Gazette" of the 12th July, 1945, Pt. I, p. 1162).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, published under notification No. 4309F.G., dated the 30th November 1943, as subsequently amended, I hereby authorise the Director of Rice Procurement, in the Division of the Director-General of Food, to perform the functions of the Commissioner under paragraph 5 of the said Order and under clauses 4 and 5 of Form II set out in the Schedule to the said Order.

*Notification No. 9181D.C.S., dated the 4th/6th July, 1945 (published in the "Calcutta Gazette" of the 12th July, 1945, Pt. I, p. 1162).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, published under notification No. 4309F.G., dated the 30th November 1943, as subsequently amended, and in partial modification of notification No. 1082D.C.S., dated the 31st January/7th February, 1945, I hereby authorised the Regional Controllers of Procurement to perform the functions of the Commissioner under clauses 4 and 5 of Form II set out in the Schedule to the said Order within their respective jurisdictions.

*Notification No. 9209D.C.S., dated the 7th July, 1945 (published in the "Calcutta Gazette" of the 19th July, 1945, Pt., I, p. 1204).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, and in supersession of notification No. 1082D.C.S., dated 31st January/7th February 1945, I hereby authorise the officers mentioned in column 2 of the table below to perform all the functions of the Commissioner under the said order, except the power of cancellation of licence referred to in paragraph 5 of the said order and the powers referred to in clauses 4 and 5 of the form of licence set out in Form II of the Schedule appended to the said order, for the areas specified in the corresponding entries in column 1 of the said table:—

1 Areas.	2 Officers.
The districts of Darjeeling, Jalpaiguri, Dinajpur and Rangpur.	The Regional Controller of Procurement, Region I, with headquarters at Dinajpur.
The districts of Rajshahi, Malda, Bogra, Murshidabad and Pabna.	The Regional Controller of Procurement, Region II, with headquarters at Rajshahi.
The districts of Mymensingh and Dacca.	The Regional and the Additional Regional Controller of Procurement, Region III, with headquarters at Mymensingh.
The districts of Bakarganj, Khulna, Jessore, Faridpur and Chittagong and the Basirhat subdivision of the district of the 24-Parganas.	The Regional Controller of Procurement, Region IV, with headquarters at Barisal, and also the Deputy Regional Controller of Procurement with headquarters at Khulna for the Khulna district and for the only Basirhat subdivision of the district of the 24-Parganas.
The districts of Birbhum, Bankura and Burdwan.	The Regional Controller of Procurement, Region V, with headquarters at Calcutta, and the Deputy Regional Controller of Procurement with headquarters at Asansol.
The districts of Howrah, Hooghly, Midnapore, Nadia, and the 24-Parganas, excepting the Basirhat subdivision.	The Regional Controller of Procurement, Region V, with headquarters at Calcutta.

*Notification No. 12637D.C.S., dated the 11th October, 1945 (published in the "Calcutta Gazette" of the 8th November, 1945 Pt., I, p. 1858).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, published under notification No. 4309F.G., dated the 30th November 1943, as subsequently amended, I hereby authorise the following Officers to perform the functions of the Commissioner under sub-clause (i) of clause (a) of paragraph 7 of the said Order within their respective jurisdictions namely:—

- (1) The District Controller of Civil Supplies, Chittagong.
- (2) The District Controller of Civil Supplies, Faridpur.

*Notification No. 2571D.C.S., dated the 22nd February, 1946 (published in the "Calcutta Gazette" of the 14th March, 1946, Pt. I, p. 486).*

In exercise of the power conferred by clause (a) of paragraph 2 of the Bengal Rice Mills Control Order, 1943, published under notification No. 4309F.G., dated the 30th November 1943, as subsequently amended, I hereby authorise the following officer to perform the functions of the Commissioner under sub-clause (i) of clause (a) of paragraph 7 of the said Order within his jurisdiction, and direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of the notification shall be given by the publication of the same in the *Calcutta Gazette*:—

The District Controller of Civil Supplies, Dacca.

*Notification No. 4770 F.G., dated the 14th December, 1943 (published in the "Calcutta Gazette" of the 16th December, 1943, Pt., I, p. 1783).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

#### **Order.**

On and after the <sup>1</sup>[1st July, 1945], no employer the employees of whom exceed <sup>1</sup>[two hundred], and no association of employers the aggregate of whose employees exceeds <sup>1</sup>[two hundred] shall purchase any of the commodities specified in the Schedule below for the purpose of supplying such commodities to such employees except through the Government Chief Purchasing Agent.

*Explanation.*—In the case of an employer employing casual labour, the number of such employees shall, for the purposes of this order, be deemed to be the average number of such employees employed on any one working day throughout the period extending from the <sup>1</sup>[1st June 1944 to the 31st May 1945.]

#### **Schedule.**

Rice husked.

Rice in the husk (paddy).

*Notification No. 12157 D.C.S., dated the 27th September, 1945 (published in the "Calcutta Gazette" of the 11th October, 1945, Pt., I, p. 1679).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make with effect from 25th September 1945 the following modification in the order published under notification No. 4770F.G., dated 14th December 1945, as amended by No. 8131D.C.S., dated 9th June, 1945, namely:—

#### **Modification.**

"The Agriculture Department is exempted from the operation of the above notification for the purpose of purchase of paddy seeds."

---

<sup>1</sup>Substituted by notification No. 8131 D. C. S., dated the 9th June, 1945.

*Notification No. 81Com., dated the 8th January, 1945 (published in the "Calcutta Gazette" of the 18th January, 1945, Pt., I, p. 84).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

### Order.

1. (1) This Order may be called the Bengal Sawdust Control Order, 1945.<sup>1</sup>

(2) It extends to Calcutta and the neighbouring industrial area.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

(2) "Competent Authority" means any officer appointed by the Provincial Government to be a Competent Authority for the purposes of this Order and includes any person authorised by such officer in writing to perform all or any of the functions of a Competent Authority under this Order;

(3) "neighbouring industrial area" means the whole of the Barrackpore subdivision, the Tollygunge, Behala, Matiabruz, Mahestolla and Budge Budge police-stations in the district of 24-Parganas, the Magra, Chinsurah, Bhadreswar, Serampore and Uttarpara police-stations in the district of Hooghly and the Uluberia, Bowria, Sankrail, Howrah, Golabari, Sibpore, Bally, Malipanchghara, Jogacha and Bantra police-stations in the district of Howrah;

(4) "saw-mill" means any premises (including the precincts thereof) wherein twenty or more workers are working or were working on any day of the preceding twelve months and in part of which any process connected with the sawing of wood or timber is being carried on or is ordinarily carried on with the aid of power.

3. No owner, manager or other person having charge of or control over a saw-mill shall sell or otherwise dispose of or permit the sale of such disposal of any sawdust produced in such saw-mill except under and in accordance with the conditions of a permit issued in this behalf in writing by the Competent Authority or in pursuance of an order issued under paragraph 6.

4. No person shall purchase or otherwise acquire any sawdust from the owner, manager or any other person having charge of or control over a saw-mill except under and in accordance with the conditions of a licence granted in this behalf by the Competent Authority.

---

<sup>1</sup>This order has since been repealed by notification No. 3325Com., dated the 10th August, 1945

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to cancel the Bengal Sawdust Control Order, 1945, published under notification No. 81Com., dated the 8th January, 1945, on page 84, Part I of the Calcutta Gazette of the 18th January, 1945.

5. No owner, manager or other person having charge of or control over a saw-mill shall sell or deliver or permit the sale or delivery of any sawdust produced in such saw-mill to any person other than a person holding a valid licence issued under paragraph 4.

6. The Competent Authority may, by order in writing, require any owner, manager or other person having charge of or control over a saw-mill to sell to any person holding a licence issued under paragraph 4 specified in the Order, such quantity of sawdust as may be so specified and may from time to time issue such instructions regarding the sales, stocks or distribution of sawdust produced in such saw-mill as such Authority may consider necessary and such owner, manager or other person shall comply with every such order and instruction.

7. Any person if required so to do by the Competent Authority shall submit a return of stocks of sawdust in his possession or under his control in such form and within such time as the Competent Authority may direct.

8. (1) The Competent Authority may, from time to time, fix the price at which any sawdust may be sold.

(2) When the price has been so fixed, no person shall sell or purchase or agree to sell or purchase any sawdust at a price different from that fixed under the provisions of sub-paragraph (1).

9. The Competent Authority may, if he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provisions of this Order—

(a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand;

(b) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person;

(c) enter and inspect, or authorise in writing any person to enter and inspect, any premises.

*Notification No. 82 Com., dated the 8th January, 1945 (published in the "Calcutta Gazette" of the 18th January, 1945, Pt. I, p. 84).*

In exercise of the power conferred by clause (2) of paragraph 2 of the Bengal Sawdust Control Order, 1945, the Governor, with the concurrence of the Central Government, is pleased to appoint the Deputy Director-General of Production and Controller of Supplies, Bengal Circle, to be a Competent Authority for the purposes of the said Order.

*Notification No. 8944 Pl., dated the 25th November, 1943 (published in the "Calcutta Gazette" of the 25th November, 1943, Pt. I, p. 1700).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order:—

#### **Order.**

1. (1) This Order may be called the Dealers in Old Metals (Registration) Order, 1943.

(2) It shall come into force at once.

(3) It extends '[in the first instance] to Calcutta and to the Sadar and Barrackpore subdivisions of the district of the 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and the Sadar subdivisions of the district of Hooghly '[but it may be extended by the Provincial Government by notification in the *Calcutta Gazette* to any other area in Bengal].

2. In this Order unless there is anything repugnant in the subject or context,—

- (a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;
- (b) "dealer in old metals" means a person engaged in any undertaking which involves,—
  - (i) the purchase, storage for sale or sale of old metals only or mainly of old metals, or
  - (ii) the purchase, storage for sale or sale of old metals together with any second-hand machines, machine tools, machine parts, wires or other goods or any second-hand marine stores;
- (c) "marine stores" include anchors, cables, sails, old junk and old iron;
- (d) "old metals" include scrap metal, broken metal or partly manufactured metal goods, or defaced or old metal goods;
- (e) "police-station" means within the jurisdiction of the Calcutta Police, a police section.

3. (1) Every dealer in old metals shall, before the expiration of twenty-one days from the commencement of this Order, or before the expiration of twenty-one days from the date on which after the commencement of this Order he becomes first subject to the provisions of this paragraph, apply to the officer-in-charge of the police-station within the jurisdiction of which he carries on his undertaking to be registered as a dealer in old metals.

(2) When an application has been made by a dealer in old metals under sub-paragraph (1) the Officer-in-charge of the police-station to whom the application is made shall register such dealer by including his name and the particulars regarding his place of business and the place or places at which he stores old metals for sale, in a register to be maintained for the purpose by such officer in the form set forth in Schedule I annexed hereto.

(3) No dealer in old metals shall,—

- (a) after the expiry of the period referred to in sub-paragraph (1) engage in any undertaking which involves purchase, storage or sale of any old metals unless he has applied for registration under the said paragraph and has been duly registered thereunder, or
- (b) after registration under sub-paragraph (2) store old metals for sale at any place or places other than the place or places which have been recorded in respect of his registration under sub-paragraph (2).

4. Every dealer in old metals shall, whenever he intends to remove to a new place of business, or to store the old metals or any portion thereof at any place other than that which has been recorded in respect of his registration in the register referred to in paragraph 3, give notice of such intention

at least seven days before such removal or storage is effected together with the full address of the new place of business or storage, as the case may be, to—

- (a) the officer-in-charge of the police-station within the jurisdiction of which he is carrying on his undertaking at the time when such notice is given, and
- (b) the Officer-in-charge of any other police-station within the jurisdiction of which he intends to have his new place of business or to store the old metals or any portion thereof.

5. Every dealer in old metals shall, when applying for registration under paragraph 3 or giving notice under paragraph 4, furnish such information as may be necessary for the completion of the register in the form set forth in Schedule I annexed hereto.

6. Every dealer in old metals registered under this Order shall maintain in the form set forth in Schedule II annexed hereto—

- (a) a record of all old metals which come in to his possession from time to time with the name of the person by whom, the time and place at which and the name of the person from whom they were purchased or received; and
- (b) a record of all old metals which he may from time to time sell or otherwise dispose of with the name, business and place of abode or business of the person to whom they were sold or otherwise transferred.

7. Any Officer-in-charge of police-station may, for the purpose of securing compliance with the provisions of this Order—

- (a) require any dealer in old metals to produce any books, accounts or other documents relating to his undertaking and furnish any information relating thereto and every such dealer shall comply with such requisition; and
- (b) at any time enter and inspect any premises used or believed to be used by a dealer in old metals for carrying on his undertaking.

8. If any person contravenes the provisions of paragraph 3 or paragraph 6 of this Order, then, without prejudice to any other punishment to which he may be liable, any court trying the offence may order that any old metals in respect of which the court is satisfied that the offence has been committed, shall be forfeited to His Majesty.

### Schedule I.

(See paragraphs 3, 4 and 5.)

1	2	3		4		5	6
		(a)	(b)	(a)	(b)		
Serial No.	Name of dealer.	Address of place of business.	Address to which old metals are stored.	Change of address of place of business and date of receipt of notice.	Change of address of place of storage of old metals and date of receipt of notice.	Date of registration.	Signature of Officer in-charge.



**Schedule II.**

(See paragraph 6.)

*Register of Purchases and Receipts.*

Date and hour of purchase or receipt.	Description of old metals purchased or received.	Name and surname of person who purchased or received.	Name and surname of person from whom purchased or received.	Business and place of abode or premises of person from whom purchased or received.

*Register of Sales.*

Date of sale.	Description of old metals sold.	Name and surname of person to whom sold or otherwise transferred.	Business and place of abode or business of person to whom sold or otherwise transferred.

*Notification No. 1853 Fl., dated the 23rd May, 1944 (published in the "Calcutta Gazette" of the 25th May, 1944, Pt. I, p. 674).*

In exercise of the power conferred by sub-paragraph (3) of paragraph 1 of the Dealers in Old Metals (Registration) Order, 1943, as amended by notification No. 1726Pl., dated the 15th May, 1944, the Governor is pleased to extend the said Order to the Asansol subdivision in the district of Burdwan and to the area included within the Kharagpur Town police-station in the district of Midnapore.

*Notification No. 3313Com., dated the 3rd November, 1939 (published in the "Calcutta Gazette" of the 9th November, 1939, Pt. I, p. 2819).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, read with the Government of India, Department of Commerce, notification No. 20, dated the 8th September, 1939, the Governor is pleased to appoint all District Magistrates in Bengal *ex-officio* to be Controllers of Prices in their respective districts.

*Notification No. 94, dated the 23rd May, 1940 (published in the "Calcutta Gazette" of the 30th May, 1940, Pt. I, p. 1601).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, read with the Government of India, Department of Commerce, notification No. 20, dated the 8th September 1939, the Governor is pleased to appoint the Deputy Commissioner, Chittagong Hill-tracts, *ex-officio* to be the Controller of Prices in the said Hill-tracts.

*Notification No. 64Com., dated the 5th January, 1942.*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to prohibit the conversion of raw sola into civilian hat shapes by any undertaking in Bengal till the 31st March, 1942.

*Notification No. 1458Com.(C.D.), dated the 26th June, 1942 (published in the "Calcutta Gazette" of the 6th August, 1942, Pt. I, p. 1957).*

#### **Orders.**

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that from 1st July 1942 to 31st March 1943, raw sola shall not be converted into civilian hat shapes by any undertaking in Bengal except upon and in accordance with the conditions of a permit issued by the Director of Industries, Bengal, or by any officer authorised by him in writing in this behalf.

*Notification No. 11373P., dated the 29th July, 1942 (published in the "Calcutta Gazette" of the 30th July, 1942, Pt. I, p. 1899).*

#### **Order.**

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that—

- (a) no person shall, except under a special order in writing of the Provincial Government or of an officer duly authorised by the Provincial Government in this behalf, produce, keep, store or dispose of any of the articles mentioned in the schedule hereto annexed:

Provided that no such special order shall be necessary for the keeping of any of the said articles in the case of a person who has the lawful authority to wear or use such article;

- (b) no person shall supply any of the articles specified in the annexed schedule to any person other than the Provincial Government or an officer authorised under clause (a) of this order to issue a special order for the production of such article.

#### **The Schedule.**

1. A. R. P. badges and brassards specified in rule 10 of the Bengal Air Raid Precautions Services Rules, 1941, published under notification No. 4736P., dated the 13th August, 1941.

2. Civic Guard badges and brassards specified in rule 9 of the Civic Guard Rules, 1940, published under notification No. 422Pl., dated the 26th October, 1940.

*Notification No. 2530Com. (C.D.), dated the 1st September, 1942 (published in the "Calcutta Gazette" of the 10th September, 1942, Pt. I, p. 2148).*

#### **Order.**

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following order, namely:—

1. Every stockist of hemp and every other person who may have any stock of hemp in excess of five seers shall furnish within two days from the

date of publication of this order in the *Calcutta Gazette* to the Director of Industries, Bengal, or to any officer authorised in writing by him in this behalf, a statement showing—

- (a) the quantity of hemp which each such person has in his possession on the date of such publication of this order, and
- (b) the quantity, if any, which each such person may have disposed of to any other person on or after 1st September, 1942, giving the names and addresses of such other persons.

2. (1) Every such stockist or other person who may have any stock of hemp in excess of five seers is hereby prohibited from selling or otherwise disposing of any such stock and from removing any such stock from the place where on the date of publication of this order it is stored except under and in accordance with the conditions of a permit to be issued in this behalf by the Director of Industries, Bengal.

(2) Application for the issue of a permit under sub-paragraph (1) shall be submitted in writing to the Director of Industries, Bengal.

3. Every stockist or other person to whom a permit is issued under paragraph 2 shall submit on the last day of each week a statement of the stock of hemp in the possession of such person at the end of the preceding week and shall also supply any information relating to such stock which the Director of Industries may require him to supply.

*Explanation.*—In this paragraph “week” means a period of seven days beginning at midnight on Sunday night.

4. Notwithstanding anything contained in the foregoing paragraphs any person may purchase hemp on behalf of the Hemp Controller, United Kingdom, and may stock it or transport it, in accordance with the conditions of a permit issued in this behalf by the Controller of Supplies, Bengal Circle.

5. If any person contravenes any of the provisions of this order, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

*Notification No. 1846 D.C.S./5, 4/42, dated the 28th December, 1942 (published in the “Calcutta Gazette” of the 31st December, 1942, Pt. I, p. 2876).*

### **Order.**

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in modification of the order, dated the 5th January, 1942, the Governor is pleased to direct that the prices of raw sola as described below shall with effect from this day be as follows for the whole of the province except Calcutta:—

Grade I—Quantity of first class sola, light, white and soft, in the form of sticks not less than 3 feet in length without branches, diameter not less than  $\frac{3}{4}$  inch, to produce one dozen military hat shapes—Re. 1.

Grade II—Ditto, diameter  $\frac{1}{2}$  inch to  $\frac{3}{4}$  inch, length not less than 2 feet—As. 14.

Grade III—Ditto, short lengths, diameter  $\frac{1}{2}$  inch and above—As. 11.

*Notification No. 1946 D.C.S., dated the 28th December, 1942 (published in the “Calcutta Gazette” of the 31st December, 1942, Pt. I, p. 2876).*

Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community

to regulate the distribution and disposal of certain essential commodities in Calcutta and the industrial area during the period of emergency and specially after an air raid;

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that there should be no re-booking or diversion of consignments of essential commodities specified in the annexed schedule originally booked to any railway or steamer stations in Calcutta and industrial area except under or in accordance with a permit in writing issued by or under the authority of the Controller of Civil Supplies, Calcutta.

*Explanation.*—In this order—

- (1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and
- (2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

*Notification No. 4026 D.C.S., dated the 1st April, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 2nd April, 1943, p. 57).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that the wholesale price of 60-stick safety matches in the town of Calcutta, as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall be fixed as follows:—

Sixty-stick safety matches—Rs. 5-4 per gross.

*Notification No. 4968 D.C.S., dated the 8th May, 1943 (published in the "Calcutta Gazette" of the 13th May, 1943, Pt. I, p. 987).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of this department order No. 4026 D.C.S., dated the 1st April 1943, the Governor is pleased to direct that the wholesale price of 60-stick safety matches in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall be fixed as follows:—

Sixty-stick matches—Rs. 6 per gross.

*Notification No. 1676 (C.D.), dated the 29th May, 1943 (published in the "Calcutta Gazette" of the 20th July, 1943, Pt. I, p. 1078).*

Whereas it appears to the Provincial Government that it is necessary for securing the defence of British India and the efficient prosecution of the war that certain petroleum pumps should be kept open between the hours of sunset and sunrise for supplying petrol to motor vehicles used for the purposes of Air Raid Precautions and Civil Defence and for such other purposes as may be specially authorised by the Provincial Government;

And whereas the Chief Inspector of Explosives in India by an order, dated the 11th May, 1943, has relaxed condition 12 of licence Form K, of the Petroleum Rules, 1937, so as to permit the supply of petrol between these hours in areas where a lighting restriction order is in force;

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that the petroleum pumps, the names of the licensed owners of which together with the addresses of the places where the pumps are situated are given in the Schedule below, shall be kept open between the said hours for the supply of petrol to motor vehicles used for the said purposes.

### Schedule.

Name of the licensed owner of the petroleum pumps and address.

[Not printed here.]

*Notification No. 323 F.G., dated the 27th August, 1943. (published in the "Calcutta Gazette, Extraordinary", of the 28th August, 1943, p. 143).*

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. This Order shall come into force with effect from 30th August, 1943.

2. No person acting as a host shall distribute or cause to be distributed anywhere in Calcutta and the industrial area any eatables to more than fifty persons on any one day at or in connection with any party, entertainment or function, whether religious, social or of any other kind, except under the authority of, and in accordance with the conditions specified in, a permit issued in writing by the <sup>1</sup>[the Director of Rationing, Bengal] or by any person authorised in writing by him in this behalf.

3. In this Order—

(a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and

(b) "Industrial Area" means the Sadar and Barrackpore subdivisions of the district of the 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

*Notification No. 980 D.C.S., dated the 9th February, 1944 (published in the "Calcutta Gazette" of the 17th February, 1944, Pt. I, p. 161).*

In exercise of the power conferred by paragraph 2 of the Order published with notification No. 323 F.G., dated the 27th August, 1943, the officers specified in column 2 of the table below are hereby authorised to issue permits under the said paragraph in respect of the areas specified opposite each such officer in column 1 below:—

Areas. 1	Officers. 2
1. The Sadar and Barrackpore subdivisions of the district of 24-Parganas.	The District Magistrate of 24-Parganas.
2. The Sadar subdivision of the district of Howrah.	The District Magistrate of Howrah.
3. The Sadar and Serampore subdivisions of the district of Hooghly.	The District Magistrate of Hooghly.

<sup>1</sup>Substituted by notification No. 3337 D.C.S., dated the 31st March, 1945.

Provided that such authorisation shall not apply to the issue of any permit in connection with any party, entertainment or function to be held in any rationed area within the areas specified in column 1 of the said table.

*Explanation.*—In this notification the expression “rationed area” has the same meaning as in the Bengal Rationing Order, 1943.

*Notification No. 4270(b) D.C.S., dated the 2nd August, 1943 (published in the “Calcutta Gazette” of the 12th August, 1943, p. 1243).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that the maximum prices of various qualities of shellac in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall, with effect from the date of issue of this Order, be as follows:—

Quality.	Maximum price. Rs.
Standard I	73 per maund.
Superfine	75 „ „
Lemon and Button Lac	„ „
Angelo's A. C. Garnet	73 „
Angelo's T. N. I.	79 „
Angelo's A. B. T. N.	83 „

*Notification No. 1322 C./M., dated the 16th December, 1943 (published in the “Calcutta Gazette” of the 23rd December, 1943, Pt. I, p. 1792).*

In exercise of the power conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of notification No. 3292-A.R.P., dated the 9th July, 1943, the Governor is pleased to direct that the rates for the sale of fire-wood for the cremation of dead bodies at burning ghats and the dates for the sale of articles for the cremation of pauper dead-bodies, there, as specified in the schedule to this Government notification No. 71M., dated the 15th January, 1941, which has been drawn up by the Corporation of Calcutta as an addition to the bye-laws made under clause (67) of section 478 of the Calcutta Municipal Act, 1923, and sanctioned in the said notification by the Provincial Government, shall be enhanced as follows:—

- (a) the rates for the sale of fire-wood for cremation of dead bodies at the different burning ghats shall be increased to Re. 1 per maund,
- (b) the rates for the sale of articles for the cremation of pauper dead bodies at the different burning ghats shall be increased from Rs. 3-12 to Rs. 4-8 per adult dead body and from Rs. 1-14 to Rs. 2-2 per child dead body.

*Notification No. 2618 D.C.S., dated the 21st December, 1943 (published in the "Calcutta Gazette" of the 23rd December, 1943, Pt. I, p. 1820).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

**Order.**

1. No person shall move or cause to be moved by any form of conveyance any commodity containing milk in any form as an ingredient from any place inside Bengal to any place outside Bengal except under and in accordance with the conditions of a permit issued in writing <sup>1</sup>[by the Provincial Government or by any officer authorised in this behalf by the Provincial Government].

2. This order shall not apply to the moving of such a commodity from any place inside Bengal to any place outside Bengal—

(a) by the military authorities, or

(b) by any person when travelling by railway or steamer and if such commodity is carried as personal luggage permitted by the railway or steamer authorities.

*Notification No. 5100 Com., dated the 13th December, 1944 (published in the "Calcutta Gazette" of the 21st December, 1944, Pt. I, p. 1516).*

In exercise of the power conferred by clause (bd) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following order for controlling the recruitment of labour in the Darjeeling district with a view to securing that sufficient workers are available for essential undertakings, namely:—

**Order.**

No person shall recruit or otherwise secure labour in the Darjeeling district for employment outside the said district unless he has obtained a permit in writing in that behalf from the Deputy Commissioner, Darjeeling:

Provided that no such permit shall be required when any labour is so recruited under an authority issued in writing by the Deputy Recruiting Officer for Gurkhas, Ghoom.

*Notification No. 1948 D.C.S., dated the 8th February, 1946 (published in the "Calcutta Gazette" of the 14th February, 1946, Pt. I, p. 337).*

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said rules, that notice of this Order shall be given by the publication of the same in the *Calcutta Gazette*:—

**Order.**

1. In this Order, "hosiery machine" means a knitting machine of any description, circular or flat, and includes an overlock or a chain stitching machine, whether new or second-hand.

2. No person shall move or cause to be moved by rail, road, or water any hosiery machine from any place in Bengal to any place outside Bengal

<sup>1</sup>Substituted by notification No. 220 Supply, dated the 21st July, 1944.

except under and in accordance with the conditions of a permit issued in writing by the Director of Textiles, Bengal, or any officer authorised in writing by the said Director in this behalf.

3. Every owner or other person in possession of any hosiery machine shall submit to the Director of Textiles not later than the 1st March 1946, a statement showing the number and brief description of such machines in his possession on the date of commencement of this Order.

*Notification No. 2198 Com., dated the 22nd April, 1942 (published in the "Calcutta Gazette" of the 30th April, 1942, Pt. I, p. 1200).*

### Order.

Whereas a trade dispute exists between the Calcutta Steam Navigation Company, Limited, and the officers and crews of the steam-vessels owned by the said company;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 81A of the Defence of India Rules as delegated to the Provincial Government under notification No. L.3005, dated the 12th March, 1942, the Governor is pleased to direct that the said dispute shall be referred for adjudication after summary enquiry to the Labour Commissioner, Bengal.

2. The Labour Commissioner, Bengal, in carrying out the said summary enquiry shall have the same powers as vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely,—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects; and
- (c) issuing commissions for the examination of witnesses, and the said summary enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Explanation.*—In this order,—

- (a) "Steam-vessel" has the same meaning as in the Inland Steam-vessels Act, 1917;
- (b) "crew" means the deck staff and the engine-room staff.

*Notification No. 3674 Com., dated the 6th June, 1942 (published in the "Calcutta Gazette" of the 11th June, 1942, Pt. I, p. 1500).*

### Order.

Whereas a trade dispute exists between Messrs. Fraser and Company, Limited, Calcutta, and the manjhees and dandees of the boats used for loading and unloading of cargoes owned by the said company;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between Messrs. Fraser & Company, Limited, Calcutta, and the manjhees and dandees of the boats used for loading and unloading of cargoes owned by the said company is hereby referred for adjudication after summary enquiry to the Labour Commissioner, Bengal.



2. The Labour Commissioner, Bengal, shall for the purposes of the said summary enquiry have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects; and
- (c) issuing commissions for the examination of witnesses,

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

3. The decision given by the Labour Commissioner, Bengal, shall remain in force for a period of not less than four months from the date of such decision and it shall continue to be in force after that period, if notice of any alteration of the terms of such decision has not been given either by the said company or by the representatives of the said manjhees and dandees to the Labour Commissioner before the expiry of the said period.

*Notification No. 4803Com., dated the 18th August, 1942 (published in the "Calcutta Gazette" of the 27th August, 1942, Pt. I, p. 2071).*

#### **Order.**

Whereas a trade dispute exists between the British India Steam Navigation Co., Ltd., and the tally clerks in the cargo department of the said company;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between the British India Steam Navigation Company, Limited, and the tally clerks in the cargo department of the said company is hereby referred for adjudication after summary enquiry to the Commissioner for Workmen's Compensation, Bengal.

2. The Commissioner for Workmen's Compensation, Bengal, shall, for the purposes of the said summary enquiry have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects; and
- (c) issuing commissions for the examination of witnesses;

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 4948Com., dated the 27th August, 1942 (published in the "Calcutta Gazette" of the 3rd September, 1942, Pt. I, p. 2106).*

#### **Order.**

Whereas a trade dispute exists between Messrs. Burn & Company, Limited, of Howrah, and the workers in the employ of the said Company;

Now, therefore, in exercise of the powers conferred by clauses (c) and (e) of sub-rule (1) of rule 81A of the Defence of India Rules, as are directed

to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between Messrs. Burn & Company, Limited, Howrah, and the workers in the employ of the said Company is hereby referred for adjudication after summary inquiry to the District Magistrate, Howrah.

2. The District Magistrate, Howrah, shall for the purposes of the said summary inquiry have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects; and
- (c) issuing commissions for the examination of witnesses, and the said inquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 5187 Com., dated the 17th September, 1942 (published in the "Calcutta Gazette" of the 24th September, 1942, Pt. I, p. 2287).*

#### **Order.**

Whereas a trade dispute exists between Messrs. Britannia Building and Iron Company, Limited, 237, Grand Trunk Road, Howrah, and the workers in the employ of the said company;

Now, therefore, in exercise of the powers conferred by clauses (c) and (e) of sub-rule (I) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between Messrs. Britannia Building and Iron Company, Limited, Howrah, and the workers in the employ of the said company is hereby referred for adjudication after summary enquiry to the Assistant Labour Commissioner, Bengal.

2. The Assistant Labour Commissioner, Bengal, shall for the purposes of the said summary enquiry have the same powers as are vested in a court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects; and
- (c) issuing commissions for the examination of witnesses;

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 5313 Com., dated the 25th September, 1942, (published in the "Calcutta Gazette" of the 1st October, 1942, Pt. I, p. 2311).*

#### **Order.**

Whereas a trade dispute exists between the proprietors of the Dhakeswari Cotton Mill No. 1 at Narayanganj in the district of Dacca and the workers employed in the said cotton mill;

Now, therefore, in exercise of the powers conferred by clauses (c) and (e) of sub-rule (1) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

(1) The trade dispute between the proprietors of the Dhakeswari Cotton Mill No. 1 at Narayanganj and the workers employed in the mill is hereby referred for adjudication after summary enquiry to the Assistant Labour Commissioner, Bengal.

(2) The Assistant Labour Commissioner, Bengal, shall for the purposes of the said summary enquiry have the same powers as are vested in a court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents and material objects; and

(c) issuing commissions for the examination of witnesses;

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 5441 Com., dated the 3rd October, 1942 (published in the "Calcutta Gazette" of the 8th October, 1942, Pt. I, p. 2358).*

#### **Order.**

Whereas a trade dispute exists between Messrs. Sarat Chatterjee & Company, Limited, Stevedores, 3, Mangoe Lane, Calcutta, and the Calcutta Dockers' Union;

Now, therefore, in exercise of the powers conferred by clauses (c) and (e) of sub-rule (1) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between Messrs. Sarat Chatterjee & Company, Limited, Stevedores, 3, Mangoe Lane, Calcutta, and the Calcutta Dockers' Union is hereby referred for adjudication after summary inquiry to the Claims Officer, War Injuries Scheme, Calcutta.

2. The Claims Officer, War Injuries Scheme, Calcutta, shall, for the purposes of the said summary inquiry, have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents and material objects; and

(c) issuing commissions for the examination of witnesses;

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 5566 Com., dated the 27th October, 1942 (published in the "Calcutta Gazette" of the 5th November, 1942, Pt. I, p. 2495).*

Whereas a trade dispute exists between Messrs. Jay Engineering Co. and the workers in the employ of the said company;

Now, therefore, in exercise of the powers conferred by clauses (c) and (e) of sub-rule (1) of rule 81A of the Defence of India Rules, as are directed to be exercised by the Provincial Government by notification of the Central Government No. L. 3005, dated the 20th May, 1942, the Governor is pleased to make the following Order, namely:—

1. The trade dispute between Messrs. Jay Engineering Co., and the workers in the employ of the said company is hereby referred for adjudication after summary inquiry to the Commissioner, Workmen's Compensation, Bengal.

2. The Commissioner, Workmen's Compensation, Bengal, shall for the purposes of the said summary inquiry have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents and material objects; and

(c) issuing commissions for the examination of witnesses;

and the said enquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

*Notification No. 5221Com., dated the 22nd December, 1941.*

Whereas in the opinion of the Provincial Government it is necessary for the maintenance of water-supply in the city of Calcutta, that two boilers with a heating surface of more than 5,000 square feet and a working pressure of 200 pounds per square inch, should immediately be made available to the Corporation of Calcutta for use at their Palta Pumping Station;

And whereas the Provincial Government is satisfied that the Calcutta Electric Supply Corporation, Limited, has several such boilers at their Bhatpara power-station out of which they can spare two boilers without seriously jeopardising the efficiency of their service during a period of emergency;

Now, therefore, in exercise of the power conferred by rule 83 of the Defence of India Rules, the Governor is pleased to requisition two of the said boilers and to direct that the Calcutta Electric Supply Corporation, Limited, shall deliver possession of such two boilers to the Corporation of Calcutta subject to the following conditions, namely:—

(a) that the compensation payable under the said rule shall be paid by the Corporation of Calcutta out of the Municipal Fund to the Calcutta Electric Supply Corporation, Limited, for these boilers and the amount of compensation to be so paid shall be settled mutually between the said two parties, and

(b) that in the event of the said parties failing to arrive at any settlement on this matter, the compensation shall be determined by the Provincial Government and that the compensation so determined shall be the compensation payable by the Corporation of Calcutta to the Calcutta Electric Supply Corporation, Limited.



# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XI—Essential Supplies and Work—Rules 75A-84C of the Defence of India Rules.

Rules and Orders made by the Provincial Government of Bengal under Orders made by the Central Government under Rules 75A-84C of the Defence of India Rules.

*Notification No. 3934 Com., dated the 18th June, 1942 (published in the "Calcutta Gazette" of the 25th June, 1942, Pt. I, p. 1575).*

In exercise of the powers conferred by clause 4 of the Tyre Rationing Order, 1942, issued by the Central Government, the Governor is pleased to appoint the officers specified in column 1 of the Schedule below as the Area Rationing authorities for the purposes of the said Order and to direct that the jurisdiction of these officers shall extend to the areas shown in the corresponding entries in column 2 of the said Schedule:—

#### Schedule.

1	2
Deputy Commissioner of Police, Public Vehicles Department, Calcutta.	The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta, as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.
District Magistrates of all districts in Bengal.	The district in the charge of each such District Magistrate, except in the case of the district of 24-Parganas so much of such district as is not included in the suburbs of Calcutta.

*Notification No. 4575 Com., dated the 30th July, 1942 (published in the "Calcutta Gazette" of the 6th August, 1942, Pt. I, p. 1958).*

In exercise of the power conferred by clause (d) of paragraph 2 of the Motor Vehicles (Kerosene Prohibition) Order, 1942, published under Government of India, Communications Department, notification No. P.-R. 353(1)/42, dated the 26th May, 1942, the Governor is pleased to authorise

the officers specified in column I of the schedule below for carrying out all or any of the provisions of the said order in the areas shown in the corresponding entries in column II of the said schedule:—

### The Schedule.

#### II

All Deputy Commissioners of Police.	The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta, as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.
-------------------------------------	--

All District Magistrates in Bengal	The respective districts of which they are in charge excluding in the case of the district of the 24-Parganas so much of the said district as is included in the suburbs of Calcutta.
------------------------------------	---

*Notification No. 353D.C.S., dated the 27th October, 1942 (published in the "Calcutta Gazette" of the 29th October, 1942, Pt. I, p. 2460).*

In pursuance of sub-paragraph (2) of paragraph 1 of the Foodgrains Control Order, 1942, the Governor is pleased to appoint the 15th November, 1942, as the date on which the said Order shall come into force in the province of Bengal.

*Notification No. 240S., dated the 1st December, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. I, p. 2740).*

In pursuance of sub-paragraph (2) of paragraph 1 of the Foodgrains Control Order, 1942, the Governor is pleased to appoint the 1st January, 1943, as the date on which the said Order shall come into force in the Chittagong Hill-tracts.

*Notification No. 241S., dated the 1st December, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. I, p. 2740).*

In pursuance of clause (a) of paragraph 2 of the Foodgrains Control Order, 1942, the Governor is pleased to declare each of the commodities specified in the Schedule below to be a foodgrain to which the said Order applies:—

#### Schedule.

1. Rice in the husk (paddy).
2. Rice, husked.

*Notification No. 355D.C.S., dated the 27th October, 1942 (published in the "Calcutta Gazette" of the 29th October, 1942, Pt. I, p. 2460).*

In exercise of the powers conferred by paragraphs 5 and 3 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the officers specified respectively in column 2 below in respect of the areas specified

opposite each such officer in column 1 below to receive applications for licences and to issue licences under the said paragraphs 5 and 3, respectively:—

1 Areas.	2 Officers.
1. The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	The Controller of Civil Supplies, Calcutta.
2. Each district of Bengal excluding the suburbs of Calcutta.	District Supply Officer.
3. Each subdivision of Bengal	Subdivisional Supply Officer.

*Notification No. 242S., dated the 1st December, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. I, p. 2741).*

In exercise of the powers conferred by paragraphs 5 and 3 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the officers specified respectively in column 2 below in respect of the areas specified opposite each such officer in column 1 below to receive applications for licences and to issue licences under the said paragraphs 5 and 3, respectively:—

1 Areas.	2 Officers.
District Chittagong Hill-tracts	The Deputy Commissioner of the district.
Each subdivision of Chittagong Hill-tracts.	The Subdivisional Officer of the subdivision.

*Notification No. 5245D.C.S., dated the 24th May, 1943 (published in the "Calcutta Gazette" of the 27th May, 1943, Pt. I, p. 1047).*

In partial modification of notification No. 355D.C.S., dated the 27th October, 1942, and in exercise of the powers conferred by paragraphs 5 and 3 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the Regional Controller of Civil Supplies and the Joint Regional Controller of Civil Supplies, Calcutta and Industrial Area, to receive applications for licences under paragraph 5 and issue licences under paragraph 3 in the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 6182D.C.S., dated the 28th July, 1943.*

In exercise of the powers conferred by clauses 5 and 3 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the officers specified in column 2 of the table below in respect of the areas respectively



specified opposite each such officer in column 1 of that table to receive applications for licences and to issue licences under the said clauses 5 and 3, respectively:—

1 Areas.	2 Officers.
1. The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	The Licensing Officer of the Department of Civil Supplies, Calcutta.
2. Each district of Bengal excluding in the case of the district of the 24-Parganas, the suburbs of Calcutta.	The District Licensing and Returns Officer.
3. Each subdivision of Bengal except the Sadar subdivision.	The Subdivisional Licensing and Returns Officer.
II. Notifications No. 355C.S., dated the 27th October, 1942, and No. 5245D.C.S., dated the 24th May, 1943, are hereby cancelled.	

*Notification No. 357D.C.S., dated the 27th October, 1942 (published in the "Calcutta Gazette" of the 29th October, 1942, Pt. I, p. 246).*

In exercise of the power conferred by sub-clause (I) of clause 6 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the officers specified respectively in column 2 below to cancel licences issued under the said Order in respect of areas specified opposite each such officer in column 1 below:—

1 Areas.	2 Officers.
The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.	Controller of Civil Supplies, Calcutta.
Each District of Bengal excluding the suburbs of Calcutta.	District Magistrate.
Each subdivision of Bengal ...	Subdivisional Officer.

*Notification No. 243S., dated the 1st December, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. I, p. 2741).*

In exercise of the powers conferred by sub-paragraph (I) of paragraph 6 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the officers specified respectively in column 2 below to cancel licences issued under the said Order in respect of areas specified opposite each such officer in column 1 below:—

1 Areas.	2 Officers.
District Chittagong Hill-tracts	The Deputy Commissioner of the district.
Each subdivision of Chittagong Hill-tracts.	The Subdivisional Officer of the subdivision.

*Notification No. 5246 D.C.S., dated the 24th May, 1943 (published in the "Calcutta Gazette" of the 27th May, 1943, Pt. I, p. 1047).*

In partial modification of notification No. 357 D.C.S., dated the 27th October, 1942, and in exercise of the powers conferred by clause (i) of paragraph 6 of the Foodgrains Control Order, 1942, the Governor is pleased to authorise the Regional Controller of Civil Supplies, Calcutta and Industrial Area, and the Joint Regional Controller of Civil Supplies, Calcutta and Industrial Area, to cancel licences issued under the said Order in respect of the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 3255 D.C.S., dated the 23rd February, 1943 (published in the "Calcutta Gazette" of the 4th March, 1943, Pt. I, p. 454).*

In exercise of the powers conferred by paragraph 7 of the Foodgrains Control Order and by paragraphs 6 and 8 of Form "A" in the Second Schedule to the said Order, the Governor is pleased to authorise the President and members of the Distributing Trades Tribunal constituted in this department resolution No. 3186 D.C.S., dated the 19th February, 1943, to—

- (i) enter upon and inspect any premises in which they have reasons to believe that the purchase, sale or storage for sale, in whole-sale quantities of any of the foodgrains to which the said Order has been applied is taking place contrary to the provisions of the Order;
- (ii) demand for examination the duplicates of the receipts or invoices issued to his customers by the licensee;
- (iii) inspect stocks and accounts at any shop, godown or other place used by the licensee for storage or sale of any of the foodgrains for which he holds a licence and to take samples of such foodgrains for examination.

2. These powers will be exercised by the President and members of the Tribunal in addition to the officers notified in this department notification No. 356 D.C.S., dated the 27th October, 1942.

*Notification No. 2147(b) D.C.S., dated the 8th May, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 8th May, 1943, P. 83).*

In exercise of the powers conferred by paragraph 7 of the Foodgrains Control Order, 1942, and by paragraphs 6 and 8 of Form "A" in the Second Schedule to the said Order, the Governor is pleased to authorise the officers specified respectively in column 2 of the table below in respect of the areas specified opposite each such officer in column 1 of that table—

- (i) to enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of any foodgrain is taking place contrary to the provisions of the said Order;
- (ii) to demand for examination the duplicates of the receipts or invoices issued to his customers by the holder of a licence issued under the said Order;

(iii) to inspect stocks and accounts at any shop, godown or other place used by the holder of any such licence for the storage or sale of any of the foodgrains for which he holds the licence and to take samples of such foodgrains for examination:—

1 Areas.	2 Officers.
Calcutta	All Gazetted Officers stationed in Calcutta excepting those at the headquarters of the district of the 24-Parganas, and all Inspectors of the Directorate of Civil Supplies.
Within their respective jurisdictions	All Police Officers not below the rank of a Sub-Inspector of Police stationed in Calcutta.
Within their respective jurisdictions excluding in the case of the district of the 24-Parganas the suburbs of Calcutta.	All Magistrates, all District and Subdivisional Licensing and Returns Officers, all Circle Officers, all Police Officers not below the rank of a Sub-Inspector of Police, all Gazetted Officers other than officers of the Judicial Department, all officers of the Co-operative Department not below the rank of an Inspector, all officers of the Registration Department not below the rank of a Sub-Registrar, all officers of the Education Department not below the rank of a Sub-Inspector of Schools, all Special Officers in charge of Debt Settlement Boards, all officers of the Jute Regulation Department not below the rank of an Inspector in any district in Bengal and all Inspectors of Civil Supplies.

*Explanation.*—In this notification “Calcutta” means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

II. Notification No. 356D.C.S., dated the 27th October, 1943, is hereby cancelled.

*Notification No. 100S., dated the 26th June, 1943 (published in the “Calcutta Gazette” of the 1st July, 1943, Pt. I, p. 1142).*

In exercise of the powers conferred by paragraph 7 of the Foodgrains Control Order, 1942, and by paragraphs 6 and 8 of Form “A” in the Second Schedule to the said Order and in supersession of notification No. 244S., dated the 1st December, 1942, the Governor is pleased to authorise the officers specified in column 2 of the table below in respect of the areas respectively specified opposite each such officer in column 1 of that table—

- (i) to enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of any foodgrain is taking place contrary to the provisions of the said Order;

- (ii) to demand for examination the duplicates of the receipts or invoices issued to his customers by the holder of a licence issued under the said Order;
- (iii) to inspect stocks and accounts at any shop, godown or other place used by the holder of any such licence for storage or sale of any of the foodgrains for which he holds a licence and to take samples of such foodgrains for examination.

1  
Areas.

District Chittagong Hill-tracts ...

2  
Officers.

The Deputy Commissioner, the District Supply Officer and the District Agricultural Officer of the Chittagong Hill-tracts.

Within their respective jurisdictions.

All Subdivisional Officers and all Police Officers not below the rank of a Sub-Inspector of Police in the Chittagong Hill-tracts.

*Notification No. 9299 D.C.S., dated the 9th July, 1945 (published in the "Calcutta Gazette" of the 19th July, 1945, Pt. I, p. 1202).*

In exercise of the powers conferred by paragraph 7 of the Foodgrains Control Order, 1942, and by paragraphs 6 and 8 of Form A in the Second Schedule to the said Order, the Governor is pleased to authorise each officer of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector—

- (a) to enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage for sale, in wholesale quantities of any foodgrain is taking place contrary to the provisions of the said Order;
- (b) to demand for examination of the duplicates of the receipts or invoices issued to his customers by the holder of a license issued under the said Order;
- (c) to inspect stocks and accounts at any shop, godown or other place used by the holder of any such license for the storage or sale of any of the foodgrains for which he holds the license and to take samples of such foodgrains for examination.

*Notification No. 3171 T., dated the 21st May, 1945 (published in the "Calcutta Gazette" of the 24th May, 1945, Pt. I, p. 857).*

In exercise of the power conferred by sub-clause (4) of clause 8 of the Motor Vehicle Spare Parts Control Order, 1944, I hereby authorise the officers specified in column 2 of the table below to exercise, subject to the control of the Area Rationing Authority, Calcutta, or the District Magistrate as the case may be, within the areas specified in the corresponding entries in column 1 of that table, the powers conferred on the Provincial Motor Transport Controller by sub-clauses (1) and (2) of the said clause:—

1  
Areas.

2  
Officers.

The town of Calcutta, as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

Assistant Transport Controller, II.

The districts of 24-Parganas, The Magistrates in charges of the  
Howrah, Hooghly, Burdwan, Motor Vehicles Department in  
Dacca, Jalpaiguri and Darjeeling. the said districts.

*Notification No. 104D.C.S., dated the 6th January, 1943 (published in the "Calcutta Gazette" of the 28th January, 1943, Pt. I, p. 90).*

In exercise of the power conferred by clause 6 of Form A of the Second Schedule to the Foodgrains Control Order, 1942, the Governor is pleased to direct that all small sales not exceeding 20 seers of any of the foodgrains specified in the licence shall be exempted from the provisions of the said clause.

*Notification No. 529 F.G., dated the 4th September, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 6th September, 1943, p. 157).*

In exercise of the power conferred by paragraph 9 of Form A in the Second Schedule to the Foodgrains Control Order, 1942, the Governor is pleased to direct that every holder of a licence under the said Order—

- (a) shall not later than the 15th day of September, 1943, register with the officer issuing the licence the addresses of all godowns used or proposed to be used for the storage of foodgrains in respect of which the licence has been issued;
- (b) shall whenever any change takes place in the list of godowns so registered give intimation of such change to the officer issuing the licence within seven days of such change taking place.

*Explanation.*—In this notification "godowns" include any premises used or proposed to be used for the storage of foodgrains.

*Notification No. 644 F.G., dated the 8th September, 1943 (published in the "Calcutta Gazette, Extraordinary" of the 9th September, 1943, p. 157).*

In exercise of the power conferred by paragraph 9 of Form A in the Second Schedule to the Foodgrains Control Order, 1942, and of all other powers enabling him in that behalf, the Governor is pleased to direct that every holder of a licence under the said Order (hereinafter referred to as "the licensee")—

- (a) shall maintain separately the register of daily accounts referred to in paragraph 3 of the licence issued to the licensee in respect of the stocks kept stored at each of the godowns registered by the licensee under the directions issued under notification No. 529 F.G., dated the 4th September, 1943, as subsequently amended; and
- (b) shall furnish along with the monthly return in Form C of the said Schedule to the said Order referred to in paragraph 4 of the licence issued to the licensee a statement showing how the total stock at the end of the month mentioned by the licensee against item 4 under the head "particulars" in column 1 of the return in the said Form C is distributed between the various godowns registered by the licensee under the directions issued under notification No. 529 F.G., dated the 4th September, 1943, as subsequently amended, where stocks have been kept stored.

*Explanation.*—In this notification "godowns" include any premises used for the storage of foodgrains.

*Notification No. 416 F.G., dated the 19th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 20th January, 1944, p. 12).*

In exercise of the power conferred by paragraph 9 of Form A in the Second Schedule to the Foodgrains Control Order, 1942, the Governor is pleased to direct that within a rationed area no licensee shall after the rationing date purchase any foodgrain notified to be a rationed article under clause (9) of paragraph 2 of the Bengal Rationing Order, 1943, unless he holds a ration document and no licensee shall sell or store for sale any such article within the rationed area after the rationing date unless he is also an appointed wholesaler or an appointed retailer or an appointed establishment proprietor.

*Explanation.*—The expressions "rationed area", "rationing date", "appointed wholesaler", "appointed retailer" and "appointed establishment proprietor" have the same meanings as in the Bengal Rationing Order, 1943.

*Notification No. 352 B.C., dated the 8th April, 1944 (published in the "Calcutta Gazette" of the 4th May, 1944, Pt. I, p. 563).*

In exercise of the powers under rule 81 (2) of the Defence of India Rules, conferred upon me by the Home (Defence) Department notification No. 1470 Def., dated 10th February, 1943, I do hereby order that bricks, etc., of any kind should not be disposed of in any manner by any one whether owner or manufacturer of bricks or a dealer in bricks, without a written permit being obtained from me prior to such disposal.

2. Violation of this order will make the person liable to breach of the Defence of India Rules.

*Notification No. 5147 Com., dated the 14th September, 1942 (published in the "Calcutta Gazette" of the 17th September, 1942, Pt. I, p. 2204).*

In exercise of the power conferred by clause (ii) of the Order No. L3005, dated the 21st August, 1942, of the Government of India, Department of Labour, the Governor is pleased to specify generally the Labour Commissioner, Bengal, to be the authority to which the notice of the lock out shall, in the case where a strike exists in an undertaking, be sent under the said clause.

*Notification No. 3336 T., dated the 23rd May, 1945 (published in the "Calcutta Gazette" of the 26th May, 1945, Pt. I, p. 858).*

In exercise of the power conferred by sub-clause (1) of clause 3 of the Used Motor Vehicles Control Order, 1944, I hereby direct that the following amendment shall be made in the schedule appended to notification No. 2364 T., dated the 2nd May, 1944, published at page 593 of Part I of the *Calcutta Gazette*, dated the 11th May, 1944, namely:—

Delete serial No. 15. "Messrs. Allen Motor, Limited, 62, Hazra Road, Calcutta".

*Notification No. 4080 T., dated the 26th June, 1945 (published in the "Calcutta Gazette" of the 5th July, 1945, Pt. I, p. 1132).*

In exercise of the power conferred by sub-clause (e) of clause (2) of the Civil Motor Cycles Control Order, 1945, the Governor is pleased to appoint the Provincial Transport Commissioner, Bengal, to be the Provincial Motor Transport Controller for the purposes of the said order.

*Notification No. 353T., dated the 18th January, 1946 (published in the "Calcutta Gazette" of the 24th January, 1946, Pt. I., p. 223).*

In exercise of the powers conferred by sub-clause (e) of clause 3 of the Motor Cycles Control Order, 1945, the Governor is pleased to appoint the Provincial Transport Commissioner, Bengal, to be the Provincial Motor Transport Controller for the purposes of the said order.

*Notification No. 9445D.C.S., dated the 11th July, 1945 (published in the "Calcutta Gazette" of the 19th July, 1945, Pt. I, p. 1202).*

In exercise of the power conferred by clause 8 of the Footwear Control Order, 1945, the Governor is pleased to authorise all officers of the Enforcement Division in the Department of Civil Supplies of and above the rank of a Preventive Officer or an Inspector to exercise the powers mentioned in sub-clauses (a), (b) and (c) of the said clause.

*Notification No. 17723Er., dated the 15th September, 1945 (published in the "Calcutta Gazette" of the 20th September, 1945, Pt. I, p. 1527).*

In exercise of the powers conferred by clause 3 of the Drugs Control Order, 1943, and in supersession of the Orders contained in this department notification No. 8907Ex., dated the 11th May, 1944, the Governor is pleased to appoint the officers mentioned in column 1 of the table below as licensing authorities having jurisdiction in the areas specified against each in column 2 of the said table for the purposes of clauses 6, 7, 8 and 14 of the said Order:—

1 Officers.	2 Areas.
(1) Commissioner of Excise, Bengal	Throughout Bengal.
(2) Deputy Commissioner of Excise, Distilleries and Warehouses, Bengal.	Ditto.
(3) Collector of Excise, Calcutta ...	Calcutta District as defined in clause (4) of section 2 of the Bengal Excise Act, 1909.
(4) Collector or Additional District Magistrate stationed in the district.	In each of the other districts excluding so much of the areas as are situated within the Calcutta district as defined in clause (4) of section 2 of the Bengal Excise Act, 1909.

*Notification No. 12954D.C.S., dated the 27th October, 1945 (published in the "Calcutta Gazette" of the 8th November, 1945, Pt. I, p. 1858).*

In exercise of the power conferred by clause 10 of the India Woollen Goods (Control) Order, 1945, the Governor is pleased to authorise all officers of the Enforcement Division of the Department of Civil Supplies, Bengal, of and above the rank of Preventive Officer and all Police Officers under the administrative control of the Commissioner of Police, Calcutta, of and above the rank of Sub-Inspector and all Police Officers under the administrative control of the Inspector-General of Police, Bengal, of and above the rank of Sub-Inspector to exercise the powers mentioned in sub-clauses (a) and (b) of the said clause.

*Notification No. 659Com., dated the 2nd February, 1946 (published in the "Calcutta Gazette" of the 7th February, 1946, Pt. I, p. 296).*

In exercise of the power conferred by clause 40 of the Paper Control (Economy) Order, 1945, published with the Central Government notification No. 370-P.A.-(272)/45, dated the 20th December, 1945, in the *Gazette of India, Extraordinary*, of the 20th December, 1945, at pages 1103 to 1115, the Governor is pleased to empower the Special Officer, Paper Control, Bengal, to exercise throughout the whole of Bengal, excepting the Chittagong Hill-tracts, the powers mentioned in clause 40 of the said Order, and to direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of this Order shall be given by the publication of the same in the *Calcutta Gazette*.

*Notification No. 660Com., dated the 2nd February, 1946 (published in the "Calcutta Gazette" of the 7th February, 1946, Pt. I, p. 296).*

In exercise of the power conferred by sub-clause (2) of clause 39 of the Paper Control (Economy) Order, 1945, read with the Central Government notification No. 370-P.A.(272)/45, dated the 20th December, 1945, published in the *Gazette of India, Extraordinary*, of the 20th December, 1945, at page 1115, the Governor is pleased to direct that the powers in respect of clauses 14, 16, 20, 21, 22, 23, 25, 26, 27 and 28 of the said Order referred to in clause (1) of the said notification shall also be exercised throughout the whole of Bengal except the Chittagong Hill-tracts by the Special Officer, Paper Control, Bengal, and to direct further with reference to sub-rule (1) of rule 119 of the Defence of India Rules, that notice of this Order shall be given by the publication of the same in the *Calcutta Gazette*.





# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XII—Transport—The Rules and Orders made by the Central Government and the Bengal Government under rules 85-89A of the Defence of India Rules.

#### (1) Rules and Orders made by the Central Government under Rules 85-89A of the Defence of India Rules.

*Notification No. 1501E/Camp., dated the 26th October, 1944 (published in the "Gazette of India, Extraordinary," of the 27th October, 1944, p. 1479).*

In exercise of the powers conferred by sub-rule (1) of rule 86 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Major Ports (Dangerous Cargo) Control Order, 1944.

(2) It shall come into force at once.

2. In this Order,—

- (a) "Controlling authority" means, in the ports of Karachi, Bombay, Madras and Calcutta, the Principal Officer, Mercantile Marine Department <sup>2</sup>[in the port of Cochin, the Port Officer,] and in the ports of Vizagapatam and Chittagong, the Sea Transport Officer;
- (b) "Dangerous cargo" means ammunitions, explosives, packed dangerous petroleum or any other goods classified as dangerous in Government stowage instructions;
- (c) "Government stowage instructions" means the instructions issued from time to time by the Admiralty, the Board of Trade or the Ministry of War Transport in the United Kingdom as modified or supplemented by instructions from the Government of India;
- (d) "Major port" means any of the ports of Karachi, Bombay, Cochin, Madras, Vizagapatam, Calcutta and Chittagong.

3. Without prejudice to any other law, rule or regulation relating to the loading of cargo into ships, the following provisions shall apply in the major ports whenever it is proposed to load any cargo into a ship which contains, or into which it is intended to load, dangerous cargo, and whenever it is intended to load any dangerous cargo into a ship containing any other goods whatsoever:—

(A) In the case of all commercial ships and U. S. Army transports—

- (i) before accepting any cargo for loading into a ship which contains, or into which it is intended to load, any dangerous cargo, the ship's agent responsible in the case of a commercial ship, and the Commanding Officer, U. S. Army, in the case of a U. S. Army transport, shall give notice to the controlling authority of his intention to load the cargo, together with a full description of each kind of cargo and the quantity in each case;

<sup>1</sup>The word "Cochin" was omitted by notification No. DC-5(6), dated the 15th June, 1944.

<sup>2</sup>Inserted, *ibid.*

- (ii) whenever it is intended to load dangerous cargo <sup>1</sup>[which is service cargo] into a ship, the Embarkation Commandant in the case of a commercial ship, and the Commanding Officer, U. S. Army in the case of a U. S. Army transport shall, before the operation of loading is commenced, report the description (including in the case of explosives the group numbers or corresponding American classes) and the quantity of each kind of dangerous cargo which it is intended to load, to the Master of the ship or the ship's agent responsible for loading the ship's cargo, and forward a copy of the report to the controlling authority. The Master or as the case may be the ship's agent shall submit to the controlling authority the particulars so received, together with the stowage arrangements proposed;
- (iii) whenever it is intended to load dangerous cargo which is not Service cargo into a ship, the Master of the ship, or as the case may be, the ship's agent responsible for the loading shall submit direct to the controlling authority, full particulars <sup>1</sup>[as in sub-clause (ii)] regarding the cargo and the stowing arrangements proposed and send a copy of the report to the Embarkation Commandant;
- (iv) on receipt of the documents referred to in sub-clause (ii) or (iii) the controlling authority shall be responsible for approving the stowage arrangements in each case, and such arrangements shall be in conformity with the Government stowage instructions;
- <sup>2</sup>(v) no dangerous cargo shall be loaded into a ship before the controlling authority has approved the stowage arrangements under sub-clause (iv);
- (vi) the Master of the ship shall be responsible for seeing that the loading is done in accordance with the stowage arrangements approved under sub-clause (iv).

(B) In the case of hired Transports operating under the orders of the Director of Sea Transport and/or Principal Sea Transport Officer (India)—

- (i) before any cargo is loaded into a ship which contains or into which it is intended to load dangerous cargo, and before any dangerous cargo is loaded into any ship, the Sea Transport Officer shall be responsible for approving the stowage arrangements and such arrangements shall be in conformity with the Government stowage instructions;
- (ii) the Sea Transport Officer shall be responsible for seeing that the loading is done in accordance with the approved stowage arrangements.

*Notification No. 9-P (16)/44/(II), dated the 22nd May, 1945 (published in the "Gazette of India" of the 25th May, 1945, Pt. I, p. 717).*

In pursuance of rule 4, sub-rule (3) of rule 87, and sub-rule (3) of rule 87A, of the Defence of India Rules, the Central Government is pleased to authorise the Regional Port Director, Calcutta, for the purposes of the said rules 4, 87 and 87A.

<sup>1</sup>Inserted by notification No. 17E/Camp., dated the 17th January, 1945.

<sup>2</sup>Substituted, *ibid*.

*Notification No. M.862., dated the 7th June, 1940 (published in the "Calcutta Gazette" of the 27th June, 1940, Pt. 1A, p. 229).*

In exercise of the powers conferred by rule 88 of the Defence of India Rules, the Central Government is pleased—

- (1) to declare that nothing in the restrictions imposed by rules 80, 86, 87, 109, 125, 127 and 128 of the Indian Explosives Rules, 1914, shall apply to the loading, unloading or conveyance, in the service of His Majesty in any railway station, or to the conveyance for purposes of defence in any goods train or military special ammunition train, of any explosives of the 6th (ammunition) class;
- (2) to make provision as follows for regulating the loading, unloading and conveyance of explosives to which clause (1) applies—
  - (i) the total quantity of explosives carried in any one wagon shall not exceed the carrying capacity of the wagon or ten tons (avoirdupois) whichever is less;
  - (ii) the maximum number of wagons carrying explosives shall not exceed—
    - (a) six when hauled by a goods train,
    - (b) thirty-seven when hauled by a military special train; and
  - (iii) the explosive shall be packed in accordance with the regulations of the Defence Services concerned.

*Notification No. M.1217, dated the 21st May, 1941 (published in the "Calcutta Gazette" of the 25th June, 1941, Pt. 1A, p. 269).*

In exercise of the powers conferred by sub-rule (1) of rule 88 of the Defence of India Rules, and in supersession of the notification of the Government of India in the Department of Labour, No. M.-1217, dated the 23rd July, 1940, the Central Government is pleased to declare that the restriction imposed by clause (b) of sub-rule (3) of rule 29 of the Explosives Rules, 1940, shall not apply to the conveyance in any railway station, or in or from any railway train, of any explosives under instructions given on behalf of Government by the Chief Inspector of Explosives in India.

*Notification No. E-104, dated the 19th August, 1941 (published in the "Calcutta Gazette" of the 11th September, 1941, Pt. 1A, p. 435.)*

Whereas it appears to the Central Government to be necessary and expedient for the efficient prosecution of war and for maintaining supplies essential to the life of the community to expedite the loading and unloading of petroleum tankers:

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 88 of the Defence of India Rules, the Central Government is pleased to order that the restrictions imposed by rule 39 of the Petroleum Rules, 1937, specified in the Schedule annexed hereto shall not apply to the loading or unloading of petroleum tankers carrying dangerous petroleum, provided always that the requirements of the said rule are otherwise complied with.

#### **The Schedule.**

1. The restriction imposed by sub-rule (1) of the said rule, requiring tank ships to commence the discharge of dangerous petroleum in bulk before sunset.
2. The restriction imposed by sub-rule (2) of the said rule.

*Notification No. 1474-E/Camp, dated the 7th September, 1944 (published in the "Gazette of India" of the 9th September, 1944, Pt. I, p. 1195).*

In exercise of the powers conferred by sub-rule (1) of rule 88 of the Defence of India Rules, and in supersession of the notification of the Government of India in the Labour Department, No. M-862(1), dated the 16th December, 1940, and in the War Department, No. 889, dated the 1st June, 1944, the Central Government is pleased to declare that nothing in any restriction imposed by or under any law for the time being in force shall apply to the loading, unloading, handling, storage, conveyance or importation at the Ports of Karachi, Bombay, Cochin, Madras, Vizagapatam, Calcutta or Chittagong, of explosives, ammunition, petroleum or other inflammable substances, in circumstances certified by the Naval Officer-in-Charge at the place where the Port is situated to be circumstances of grave urgency or practical necessity.

Provided that—

- (a) no such certificate shall be given unless the Naval Officer-in-Charge is satisfied that arrangements have been made for the observance of such safety precautions as may be prescribed by or under sub-rule (2) of rule 88 of the Defence of India Rules;
- (b) a copy of the certificate together with a report of the circumstances in which it was issued and of the operations involved in each case shall be despatched forthwith by the Naval Officer-in-Charge to the Chief Inspector of Explosives in India and to the Port authority concerned.

*Notification No. 1475-E/Camp, dated the 7th September, 1944 (published in the "Gazette of India" of the 9th September, 1944, Pt. I, p. 1195).*

In exercise of the powers conferred by sub-rule (2) of rule 88 of the Defence of India Rules, the Central Government is pleased to direct that until further notice the Regulations set out in the Schedule hereto annexed shall apply in the ports of Karachi, Bombay, Cochin, Madras, Vizagapatam, Calcutta or Chittagong, to the loading, unloading, handling, storage and conveyance of ammunition, explosives, petroleum or other inflammable substances to which the declaration contained in the notification of the Government of India in the Department of Labour, No. 1474E/Camp, dated the 7th September, 1944, applies.

*[For Schedules see "Gazette of India" of the 9th September, 1944, Pt. I, p. 1195.]*

*Notification No. 1792, dated the 30th November, 1940 (published in the "Gazette of India" of the 30th November, 1940, Pt. I, p. 1679).*

In exercise of the powers conferred by sub-rule (1) of rule 88A of the Defence of India Rules, the Central Government is pleased to declare that nothing in any restriction imposed by or under any law for the time being in force on—

- (i) the licensing of drivers of motor vehicles,
- (ii) the speed at which such vehicles may be driven at any place, or
- (iii) the driving of such vehicles at night without lights,

shall apply to, or to the driver or person in charge of, any motor vehicle which is the property of the Central Government in the Defence Department or which is otherwise in the service of His Majesty for purposes of defence.

*Notification No. R80, dated the 25th June, 1944 (published in the "Gazette of India" of the 8th July, 1944, Pt. I, p. 908).*

In exercise of the powers conferred by sub-rule (1) of rule 88A of the Defence of India Rules, the Central Government is pleased to declare that nothing in any restriction imposed by or under any law for the time being in force in relation to the driving in public places of Motor Vehicles with left hand steer control not equipped with mechanical or electrical signalling devices shall apply to any motor vehicle which is engaged on military work.

*Notification No. 26-TP(32)/45, dated the 8th March, 1946 (published in the "Calcutta Gazette" of the 21st March, 1946, Pt. I A, p. 65).*

Whereas in exercise of the powers conferred by sub-rule (1) of rule 88A of the Defence of India Rules the Central Government was pleased to declare in the Notification of the Government of India in the late Defence Department No. 1792, dated the 30th November, 1940, that nothing in any restriction imposed by or under any law for the time being in force in relation to the matters specified in the said notification shall apply to, or to the driver or person in charge of, any motor vehicle which is the property of the Central Government in the Defence Department or which is otherwise in service of His Majesty for the purposes of defence:

Now, therefore, in exercise of the powers conferred by the said sub-rule the Central Government is pleased to declare that with effect from the 16th March 1946, the said declaration—

- (a) shall cease to apply in relation to the licensing of drivers of motor vehicles, and
- (b) in relation to the speed at which such vehicles may be driven at any place shall apply only in respect of—
  - (i) vehicles used for the carriage of artillery;
  - (ii) vehicles used for towing artillery, while being so used;
  - (iii) vehicles constructed for the carriage of tanks;
  - (iv) armoured carriers;
  - (v) tanks.

*Notification No. 9-IWT(8)-43, dated the 10th December, 1943 (published in the "Gazette of India" of the 18th December, 1943, Pt. I, p. 1359).*

In exercise of the powers conferred by sub-rule (2) read with sub-rule (5) of rule 89 of the Defence of India Rules, the Central Government is pleased to order that the owners of lighters plying at the port of Calcutta shall comply with any directions given from time to time by the Chairman of the Commissioners for the Port of Calcutta, and such directions may require the owner to use the lighters in his possession or under his control, for the conveyance of such goods at such time and by such routes as may be set forth in the directions.



# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XII—Transport—The Rules and Orders made by the Central Government and the Bengal Government under rules 85-89A of the Defence of India Rules.

#### (2) Rules and Orders made by the Provincial Government of Bengal under Rules 85-89A of the Defence of India Rules.

*Notification No. 9C., dated the 23rd July, 1941 (published in the "Calcutta Gazette, Extraordinary" of the 23rd July, 1941).*

Whereas it appears to the Provincial Government that it is necessary for securing the defence of British India that the following order should be made;

Now, therefore, in exercise of the powers conferred by rule 88A of the Defence of India Rules, read with notification No. 817-OR/2/41, dated the 7th June, 1941, issued by the Government of India, the Governor is pleased to declare that notwithstanding anything contained in notification No. 2C., dated the 31st March, 1933, issued by the Provincial Government under section 2 of the Indian Tolls Act, 1851 (VIII of 1851), all motor vehicles which are required to cross the Willingdon Bridge over the river Hooghly at Bally in the performance of duties connected with Air Raid Precautions shall be exempt from the payment of tolls leviable under the last-mentioned notification.

*Notification No. 2913Pl., dated the 30th August, 1941 (published in the "Calcutta Gazette" of the 4th September, 1941, Pt. I, p. 2151).*

In exercise of the powers conferred by sub-rule (1) of rule 88A of the Defence of India Rules read with notification No. 817-OR/2/41, dated the 7th June 1941, issued by the Government of India, the Governor is pleased to declare that with effect from such date as may be notified in the *Official Gazette* in this behalf as that upon which a period of special emergency commences, nothing in any restriction imposed by or under any law for the time being in force on—

- (i) the licensing of drivers of motor vehicles,
- (ii) the speed at which such vehicles may be driven at any place,



(iii) the driving of such vehicles at night without lights, or

(iv) the number of persons carried in such vehicles,

shall apply to, or to the driver or person in charge of, the vehicles mentioned in column 1 of the Schedule below, which are engaged in the work specified in the corresponding entry in column 2 thereof:—

### Schedule.

Vehicles. 1	Name of work in which engaged. 2
1. All vehicles owned or controlled by the Corporation of Calcutta and the Commissioners of any municipality in Bengal or engaged in work on behalf of such Corporation or Commissioners.	<sup>1</sup> [Drainage, sewage, water-supply and conservancy work including transport of refuse.]
2. All vehicles owned or controlled by Public Utility Companies supplying gas, electricity or water to the public whether owned by such Public Utility Companies or not.	Any branch of the work of such Public Utility Companies.
3. All vehicles contained in the pool of vehicles requisitioned for the purposes of civil defence by the Commissioner of Police <sup>2</sup> [and the Corporation of Calcutta] in Calcutta and the District Magistrates elsewhere.	Any work arising out of the period of special emergency occasioned by an actual or apprehended hostile attack.
4. All vehicles ...	Air Raid Precautions work or any branch of civil defence including the construction or repair of all communications or works of public utility and the transport of personnel and supplies for such purposes.
5. All vehicles	The transport of doctors, nurses, first-aid helpers and any medical supplies or equipment.
6. All vehicles	The transport of corpses, injured persons or persons rendered homeless by enemy action.
7. All vehicles	Any work of demolition rendered necessary by enemy action.
8. All vehicles ...	The transport of foodstuffs.
9. All vehicles requisitioned under any provision of the Defence of India Rules or under any order made thereunder.	Such work as the requisitioning authority directs shall be done by such vehicles.

<sup>1</sup>Substituted by notification No. 145 PL., dated the 14th January, 1942.

<sup>2</sup>Inserted, *ibid.*

*Notification No. 2840Pl., dated the 26th August, 1941 (published in the "Calcutta Gazette" of the 28th August, 1941, Pt. I, p. 2075).*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 89 of the Defence of India Rules the Governor is pleased to make the following order, namely:—

#### **Order.**

1. This order shall come into force on the 1st September 1941, and shall apply to the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

2. No cycle-rickshaw shall be used or plied for hire within the area to which this order applies.

*Notification No. 2895Pl., dated the 28th August, 1941 (published in the "Calcutta Gazette" of the 4th September, 1941, Pt. I, p. 2151).*

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to make the following order, namely:—

#### **Order.**

This order shall come into force on the 15th September 1941 and shall apply to the areas within the jurisdiction of the Howrah Municipality.

2. No cycle-rickshaw shall be used or plied within the areas to which this order applies.

*Notification No. 879Pl., dated the 23rd March, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 23rd March, 1942).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules the Governor is pleased to make the following order:—

1. (a) Every owner of a motor vehicle, whose permanent address on the 25th March 1942 is different from that recorded in the certificate of registration of the vehicle, shall, on or before the 31st March 1942, report his new address to the Registering Authority of the area in which such address is situated and shall send to the said Authority the certificate of registration of the vehicle for the purpose of recording such new address. He shall also forward a copy of the report to the Registering Authority of the area in which the vehicle was originally registered.

Present address  
to be reported.

The report referred to above shall specify the address at which the vehicle is normally kept if such address is different from that of the owner.

(b) If the owner's address on the 25th March 1942 remains the same as that recorded in the certificate of registration but his vehicle is normally kept at a different address, he shall on or before the 31st March 1942 report the address at which the vehicle is normally kept to the Registering Authority of the area in which that address is situated.

Future changes  
of address to  
be reported.

2. Where the owner of a motor vehicle changes his permanent address after the 25th March 1942, he shall within 24 hours of the change report his new address to the Registering Authority of the area in which such address is situated and shall send to the said Authority the certificate of registration of the vehicle for the purpose of recording such change of address. He shall also forward a copy of the report to the Registering Authority of the area in which the vehicle was originally registered.

The report referred to above shall specify the address at which the vehicle is normally kept if such address is different from that of the owner.

Movements of  
vehicles beyond  
nine days to be  
reported.

3. (a) If a motor vehicle is, after the 25th March 1942, removed from the address at which it is normally kept, the owner shall immediately report its removal to the Registering Authority of the area in which such address is situated, and shall give a statement showing the probable movements of the vehicle and the probable date of its return:

Provided that no report need be sent under this clause if it is reasonably certain that the vehicle will return to its normal address within ten days.

(b) If an owner who has not sent a report in view of the proviso to sub-clause (a), finds that owing to unforeseen circumstances the vehicle will not return to the address at which it is normally kept within ten days, he shall, not later than the tenth day of its removal from such address, report the removal to the Registering Authority of the area in which such address is situated together with a statement showing the probable movements of the vehicle and the probable date of its return.

*Notification No. 259 Mne., dated the 27th March, 1942 (published in the "Calcutta Gazette" of the 9th April, 1942, Pt. I, p. 1023).*

### Order.

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, read with sub-rule (2A) of that rule the Governor is pleased to make the following Order for the registration and licensing of country boats, namely:—

Short title,  
commencement  
and application.

1. (1) This Order may be called the Country Boats Registration and Licensing Order.

(2) It shall come into force at once.

(3) It shall apply in the first instance to the following areas, namely:—

the districts of Midnapore, Hooghly, Howrah, 24-Parganas, Jessore, Khulna, Bakarganj, Faridpur, Tippera, Dacca, Noakhali and Chittagong.

Extension to  
other areas.

2. The Provincial Government may, by notification in the *Calcutta Gazette*, extend this order to any other area in Bengal.

3. In this Order, unless there is anything repugnant in the subject or context,— Definitions.

- (a) "country boat" means any vessel for the conveyance by inland waterways of persons or property which is not mechanically propelled, and includes passenger boats and cargo boats;
- (b) "passenger boat" means any boat which ordinarily carries persons other than the manjhi or boatman in charge and the crew;
- (c) "Cargo boat" means any boat which ordinarily carries any kind of goods or personal property including animals;
- (d) "registering officer" means the officer in charge of the police-station within the jurisdiction of which the owner, or agent, or other person in charge, of a country boat ordinarily resides.

4. Any passenger boat capable of carrying ten or more persons or any cargo boat which plies whether regularly or occasionally, within or partly within and partly outside, the limits of the areas to which this Order applies or to which it is extended by a notification under paragraph 2 shall be registered at the police-station within the jurisdiction of which the owner, or agent or other person in charge of the boat ordinarily resides. Registration of country boat

5. The owner or agent or other person in charge of any country boat required to be registered under this Order shall apply to the officer in charge of the police-station within the jurisdiction of which such owner, agent, or other person in charge, as the case may be, ordinarily resides within three days of the publication of this Order in the area included in such police-station for the registration of such boat. Registration of country boat

6. On an application for registration of a country boat being made under paragraph 5, the registering officer shall, after inspection of the boat if necessary under paragraph 10, enter the following particulars in the register to be kept by him for the purpose:— Particulars of registration.

- (1) Register No.
- (2) Date of resignation.
- (3) Name of police-station and district.
- (4) Name and address of owner, if known.
- (5) Name and address of the agent or the person in charge.
- (6) The place where the boat is ordinarily kept.
- (7) Description of boat.

The Registering Authority shall cause the registration number of the boat and the name of the police-station where it is registered to be painted in bold type on the body of the country boat, and a certificate of registration shall be supplied to owner, agent, or other person in charge of the boat, as the case may be, by the Registering Officer.

**Transfer of  
ownership.**

7. Every transfer of ownership of a country boat shall be notified to the Registering Officer in writing within three days of the transfer. Such notification shall be accompanied by the certificate of registration in respect of the boat issued under paragraph 6 for endorsement by the Registering Officer.

**License for  
certain cargo  
boats.**

8. No cargo boat which is 25 feet or more in length shall ply either regularly or occasionally within or partly within and partly without the limits of the areas to which this order applies or to which it is extended by notification under paragraph 2, unless a license has been obtained from the Registering Officer in respect of such boat.

**Particulars of  
license of cargo  
boats.**

9. On an application for a license in respect of a cargo boat referred to in paragraph 8 being made by the owner, agent, or other person in charge of such boat to the Officer in charge of the police-station in which such owner, agent or other person, as the case may be, ordinarily resides, such Officer shall, after inspection of the boat, if necessary, under paragraph 10, enter the following particulars in the register for license to be kept by him for the purpose of the licensing of such boats, namely:—

- (1) Register No. and date.
- (2) License No. and date.
- (3) Name of police-station and district.
- (4) Name and address of the owner.
- (5) Name and address of the agent or other person in charge.
- (6) The place where the cargo boat is ordinarily kept.
- (7) Description of boat.
- (8) Names and addresses of the crew on board the cargo boat.

A license shall thereafter be issued by the Registering Officer to the owner or agent or other person in charge of the cargo boat, as the case may be, who applied for such license.

**Inspection of  
boats.**

10. The Registering Officer may require the owner or agent or other person in charge of the country boat who has made an application for registration under paragraph 5 or an application for license under paragraph 9 to represent the boat for inspection at such place, within the police-station of which the said officer is in charge, which the District Magistrate may, by order, appoint.

**Non-transfer-  
ability of license.**

11. No license granted under this order shall be transferable.

**Licenses to be  
carried by the  
cargo boats.**

12. Every cargo boat when plying shall carry with it the license issued under paragraph 9 and the said license shall be produced for inspection when so required by a police officer not below the rank of a Head Constable.

*Notification No. 9271Def., dated the 19th November, 1945 (published in the "Calcutta Gazette" of the 6th December, 1945, Pt. I, p. 2021).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules read with sub-rule (5) of that rule, the Governor is pleased to repeal with effect from the 1st October 1945 the Country Boats Registration and Licensing Order, published under notification No. 259-Mne., dated the 27th March 1942, at page 1023 of Part I of the *Calcutta Gazette* of the 9th April 1942:

Provided that the said order shall be deemed to continue in force for the purpose of any investigation or proceedings whether commenced before or after the said 1st October 1945, relating to any contravention of the said Order which took place before the said date.

*Notification No. 931Pl., dated the 28th March, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 28th March, 1942).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to make the following order:—

#### **Order.**

1. (1) This order may be called The Pedal Cycles (Registration) Order, 1942.

Short title,  
application and  
extent.

(2) It applies to all pedal bicycles and tricycles, and other pedal cycles including those which are constructed or adapted for the conveyance of goods or other articles and are on any occasion so used, save and except only those held by or on behalf of the Crown for the use of the combatant armed forces of the Crown and specifically distinguished as such.

(3) It extends to the whole of Bengal excluding the Chittagong Hill Tracts.

2. In this order unless there is anything repugnant in the subject or context,—

"District Magistrate" means, in Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, the Commissioner of Police;

"Officer-in-charge" means the officer in charge of the police-station within the jurisdiction of which the owner of the pedal cycle resides; and

"Police-stations" means, within the jurisdiction of the Calcutta Police, a police-station.

3. Every pedal cycle shall, at such time as may be fixed by an order of the District Magistrate, be produced for registration at the police-station within the jurisdiction of which the owner of the pedal cycle resides:

Pedal cycles to  
be registered.

Provided that this paragraph shall not apply in respect of any pedal cycle which has been registered and to which a registration number has been assigned under the facilities for voluntary registration afforded by the Commissioner of Police,

Calcutta, in accordance with the plan published in the press on the 21st March, 1940, if such pedal cycle is, at the time when this order comes into force, still the property and in the possession of the person in whose name it was so registered.

Particulars to be furnished.

4. Upon production of the pedal cycles as required by paragraph 3 the owner thereof or his representative shall furnish to the officer-in-charge such information relative thereto as may be necessary for completion of a register in the form shown in Schedule I.

Registration plates.

5. The officer-in-charge shall thereupon assign to the pedal cycle a registration number composed of the alphabetical symbol shown in Schedule II allotted to the police-station followed by the serial number of the entry relating to the pedal cycle in the register and shall furnish to the owner of the pedal cycle a rectangular plate of metal or wood measuring four inches in length and three inches in height and painted yellow upon which the registration number is painted or stenciled in black or branded in letters and figures not less than one and a quarter inches in height and one-eighth of an inch in thickness. The plate shall have two perforations as shown in Schedule III in order to facilitate its affixation by the owner to the handle-bar of the pedal cycle:

Provided that any registration plate issued under the scheme referred to in the proviso to paragraph 3 shall, for the purposes of this order; be deemed to be a registration plate issued under this paragraph:

Provided further that if any registration plate issued or deemed to have been issued under this paragraph for any reason ceases to be in possession of the person to whom it appertains, any substitute registration plate provided by him in accordance with the description given in this paragraph shall be deemed to be a registration plate issued under this paragraph.

Special provision for dealers and stockists.

6. (1) Any dealer in, or stockist of, pedal cycles may make to the District Magistrate an application in the form shown in Schedule IV for recognition as such dealer or stockist and upon examination of his application the District Magistrate may issue to him a certificate in the form shown in Schedule V exempting him from the provisions of paragraphs 3, 4 and 5 and assigning to him a dealer's registration number.

(2) Any dealer or stockist exempted under the provisions of this paragraph shall furnish weekly on Saturday a statement in the form shown in Schedule VI reporting any transfer from or addition to his stocks and for this purpose shall maintain a stock register open to inspection by any police officer not below the rank of Sub-Inspector of Police.

Unregistered pedal cycles not to be owned or used.

7. From a date to be notified by the District Magistrate no person, not being exempted under paragraph 6, shall be in possession of any pedal cycle which has not been registered and no pedal cycle shall be used in any thoroughfare unless it bears attached to the handle-bar—

(a) the registration plate supplied in accordance with paragraph 5 : or

(b) in the case of a pedal cycle owned by a dealer or stockist exempted under paragraph 6, a plate bearing the dealer's registration number, assigned to him under that paragraph, of the same material, shape and dimensions and prepared in the same way as the registration plates referred to in paragraph 5 with the exception that the ground of the plate shall be painted red and not yellow.

8. (1) The owner of every registered pedal cycle shall within seven days give notice to the officer-in-charge of—

Registration of changes of address or ownership and of new pedal cycle.

(a) any change of residence; or

(b) any circumstances in which possession of the pedal cycle has passed from himself to any other person for a period of seven days or more; or

(c) any circumstances in which a registration plate issued under paragraph 5 ceases to be in his possession.

(2) Such notice shall include full particulars of the owner's new address or, if the ownership of the pedal cycle has changed, of the name and address of the new owner.

(3) Any person who after the commencement of this order in any manner acquires possession or ownership of a pedal cycle shall, within seven days of such acquisition, furnish to the officer-in-charge the particulars referred to in paragraph 4, and, if the pedal cycle has not previously been registered, shall produce it before the officer-in-charge for registration.

(4) The officer-in-charge shall enter the particulars furnished under this paragraph in his register in the form shown in Schedule I and if the pedal cycle is new shall assign to it a registration number in accordance with paragraph 5.

### Schedule I.

(See paragraph 4.)

Register of pedal cycle registered at.....police-station.

Alphabetical symbol of police-station.....

Serial No.	Particulars of pedal cycle (enter details of description (bicycle, tricycle, etc.), purpose for which used (conveyance of goods, personal use), make and distinguishing number or marks).	Particulars of owner (enter regularly in order, details of each change of ownership).		Date of registration and supply of registration plate.	Signature of officer in charge.
		Name.	Address.		
1	2	3	4	5	6



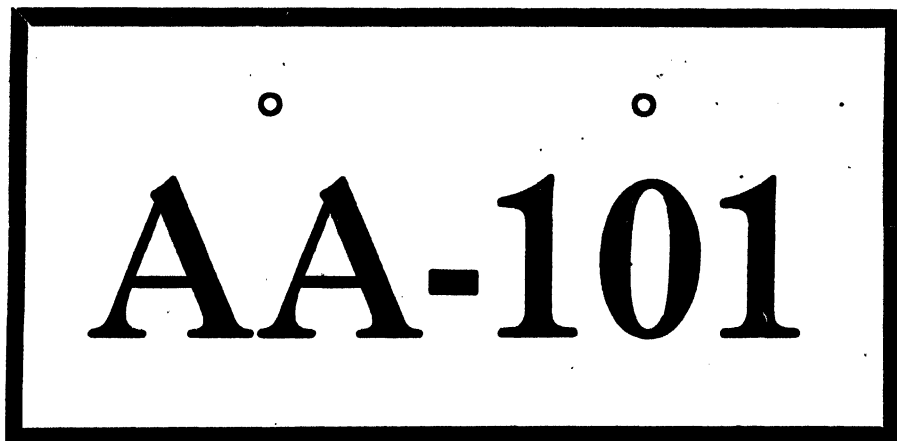
**Schedule II.**

[For the alphabetical symbols allotted to the different police-stations. See the *Calcutta Gazette, Extraordinary* of the 28th March, 1942.]

**Schedule III.**

(See paragraph 5.)

Illustration of registration plate showing registration number (see paragraph 5).



The plate is of metal or wood, measuring 4 inches by 3 inches and bearing the registration number in black upon a yellow ground. The letters and figures are not less than  $1\frac{1}{4}$  inches in height and one-eighth inch in thickness.

**Schedule IV.**

(See paragraph 6.)

Form of application for registration as a dealer in or stockist of pedal cycles under the Pedal Cycles (Registration) Order, 1942.

Name of applicant.....

Address of applicant.....

Nature of applicant's business.....

	Particulars of pedal cycles dealt in—						Remarks.
	For personal use.			For conveyance of goods, etc.			
	Bicycles.	Tricycles.	Others.	Bicycles.	Tri cycles.	Others.	
1	2	3	4	5	6	7	8
Average number sold annually							
Stock held at date of application.							

*Declaration.*

I, the undersigned applicant, hereby declare that the particulars given above are true to the best of my knowledge and belief and I apply for registration as a dealer in/stockist of pedal cycles under the Pedal Cycles (Registration) Order, 1942.

Signed.....

Date of application.....

To the District Magistrate.....

*Commissioner of Police, Calcutta.*

**Schedule V.**

(See paragraph 6.)

Certificate of registration as a dealer in/stockist of pedal cycles.

This is to certify that the person described below is exempted under the provisions of paragraph 6 of the Pedal Cycles (Registration) Order, 1942, from liability to comply with the provisions of paragraphs 3, 4 and 5 of that Order and has been assigned the registration number shown below as a dealer in/stockist of pedal cycles.

Particulars of the person exempted.

Registered number.....

Name.....

Address.....

Signed.....

*District Magistrate.*

*Commissioner of Police, Calcutta.*

*Dated the.....*

**Schedule VI.**

[See paragraph 6 (2).]

Weekly return for transactions in pedal cycles for the week ending Friday,  
the.....submitted in accordance with the Pedal Cycles  
(Registration) Order, 1942.

Name of dealer/stockist.....Registered number.....

Address.....

1	Particulars of pedal cycles.						
	For personal use.			For conveyance of goods, etc.			
	Bicycles. 2	Tricycles. 3	Others. 4	Bicycles. 5	Tricycles. 6	Others 7	Remarks. 8
1. Stock held at beginning of week.							
2. Pedal cycles acquired or added to stock during the week.							
3. Total of 1 plus 2 ..							
4. Pedal cycles disposed of during the week.							
5. Stock now in hand (3 minus 4).							

Name and address of each person from and to whom every pedal cycle received or disposed of during the week has been obtained or made over—

Description and purpose of pedal cycle acquired or added to stock. 1	Name and address of person from whom obtained. 2	Description and purpose of pedal cycle disposed of. 1	Name and address of person to whom made over. 2

I declare that the above particulars are true to the best of my knowledge and belief.

Signed.....

Registered dealer/stockist No.....

Address.....

Date.....

*Notification No. 3119Pl., dated the 29th September, 1945 (published in the "Calcutta Gazette" of the 4th October, 1945, Pt. I, p. 1626).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to repeal the Pedal Cycles (Registration) Order, 1942, published with the notification No. 931Pl., dated the 28th March 1942, at pages 85-100, Part I of the *Calcutta Gazette, Extraordinary*, of the same date:

Provided that the said Order shall be deemed to continue in force for the purpose of any investigation or proceeding, whether commenced before or after the date of publication of this notification in the *Calcutta Gazette* relating to any contravention of the said Order which has taken place before the said date.

*Notification No. 3—S., dated the 3rd April, 1942 (published in the "Calcutta Gazette" of the 9th April, 1942, Pt. I, p. 1031).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to make the following order:—

### **Order.**

1. (1) This order may be called the Chittagong Hill-tracts Pedal Cycles (Registration) Order, 1942.

Short title,  
application and  
extent.

(2) It applies to all pedal bicycles and tricycles, and other pedal cycles including those which are constructed or adapted for the conveyance of goods or other articles and are on any occasion so used, save and except only those held by or on behalf of the Crown for the use of the combatant armed forces of the Crown and specifically distinguished as such.

(3) It extends to the Chittagong Hill-tracts.

2. In this order unless there is anything repugnant in the subject or context,—

"Deputy Commissioner" means the Deputy Commissioner of the Chittagong Hill-tracts.

"Officer-in-charge" means the officer in charge of the police-station within the jurisdiction of which the owner of the pedal cycle resides.

3. Every pedal cycle shall, at such time as may be fixed by an order of the Deputy Commissioner, be produced for registration at the police-station within the jurisdiction of which the owner of the pedal cycle resides.

Pedal cycles to  
be registered.

4. Upon production of the pedal cycles as required by paragraph 3 the owner thereof or his representative shall furnish to the officer-in-charge such information relative thereto as may be necessary for completion of a register in the form shown in Schedule I.

Particulars to be  
furnished.

5. The officer-in-charge shall thereupon assign to the pedal cycle a registration number composed of the alphabetical symbol shown in Schedule II allotted to the police-station followed by the serial number of the entry relating to the pedal cycle in the register and shall furnish to the owner of the pedal cycle a rectangular plate of metal or wood measuring four inches in length and three inches in height and painted yellow upon which the registration number is painted or stenciled in black or branded in letters and figures not less than one and a quarter inches in height and one-eighth of an inch in thickness. The plate shall have two perforations as shown in Schedule III in order to facilitate its affixation by the owner to the handle-bar of the pedal cycle:

Registration  
plates.

Provided that if any registration plate issued under this paragraph for any reason ceases to be in possession of the person to whom it appertains, any substitute registration plate provided by him in accordance with the description given in this paragraph shall be deemed to be a registration plate issued under this paragraph.

Special provision  
for dealers and  
stockists.

6. (1) Any dealer in, or stockist of, pedal cycles may make to the Deputy Commissioner an application in the form shown in Schedule IV for recognition as such dealer or stockist and upon examination of his application the Deputy Commissioner may issued to him a certificate in the form shown in Schedule V exempting him from the provisions of paragraphs 3, 4 and 5 and assigning to him a dealer's registration number.

(2) Any dealer or stockist exempted under the provisions of this paragraph shall furnish weekly on Saturday a statement in the form shown in Schedule VI reporting any transfer from or addition to his stocks and for this purpose shall maintain a stock register open to inspection by any police officer not below the rank of Assistant Sub-Inspector of Police.

Unregistered  
pedal cycles not  
to be owned or  
used.

7. From a date to be notified by the Deputy Commissioner no person, not being exempted under paragraph 6, shall be in possession of any pedal cycle which has not been registered and no pedal cycle shall be used in any thoroughfare unless it bears attached to the handle-bar—

- (a) ~~the~~ registration plate supplied in accordance with paragraph 5; or
- (b) in the case of a pedal cycle owned by a dealer or stockist exempted under paragraph 6, a plate bearing the dealer's registration number, assigned to him under that paragraph, of the same material, shape and dimensions and prepared in the same way as the registration plates referred to in paragraph 5 with the exception that the ground of the plate shall be painted red and not yellow.

Registration of  
change of  
address or owner-  
ship and of new  
pedal cycle.

8. (1) The owner of every registered pedal cycle shall within seven days give notice to the officer-in-charge, of—

- (a) any change of residence; or
- (b) any circumstances in which possession of the pedal cycle has passed from himself to any other person for a period of seven days or more; or
- (c) any circumstances in which a registration plate issued under paragraph 5 ceases to be in his possession.

(2) Such notice shall include full particulars of the owner's new address or, if the ownership of the pedal cycle has changed, of the name and address of the new owner.

(3) Any person who after the commencement of this order in any manner acquires possession or ownership of a pedal cycle shall, within seven days of such acquisition, furnish to the officer-in-charge the particulars referred to in paragraph 4 and, if the pedal cycle has not previously been registered, shall also produce it before the officer-in-charge for registration.

(4) The officer-in-charge shall enter the particulars furnished under this paragraph in his register in the form shown in Schedule I and if the pedal cycle is new shall assign to it a registration number in accordance with paragraph 5.

**Schedule I.**

(See paragraph 4.)

Register of pedal cycles registered at...  
Police-station.

Alphabetical symbol of police-station.

Serial No.	Particulars of pedal cycle (enter details of description (bicycle, tricycle, etc.), purpose for which used (conveyance of goods, personal use), make and distinguishing number or marks).	Particulars of owner (enter regularly in order, details of each change of ownership).		Date of registration and supply of registration plate.	Signature of officer in charge.
		Name.	Address.		
1	2	3	4	5	6

**SCHEDULE II.**

*B: Registration letters with corresponding police-stations.*

(See paragraph 5.)

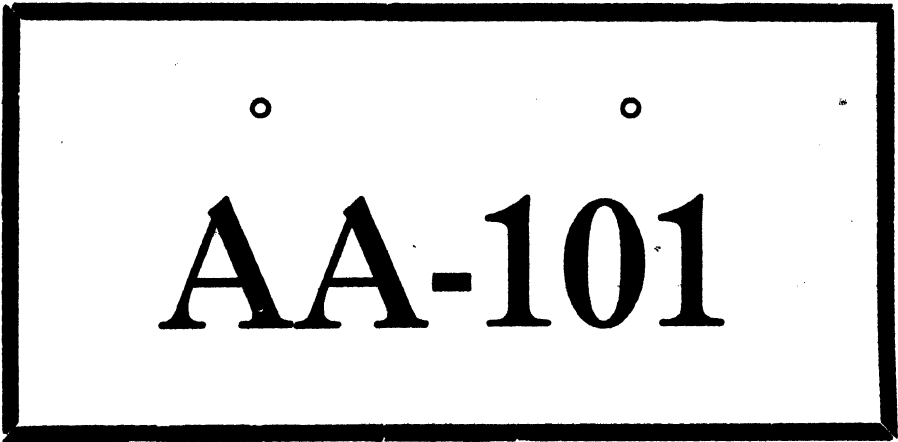
*Police-stations with Registration Letters.*

Alphabetical Name of Police-Station symbol. or Section.

Name of Police-Station or Section.	Alphabetical symbol.	District Chittagong Hill-tracts.	
<b>District Chittagong Hill-tracts.</b>		WO	Kotwali (Rangamati).
Kotwali (Rangamati)	WO	WP	Chandraghona.
Chandraghona *	WP	WQ	Barkal.
Barkal	WQ	WR	Langadu.
Langadu	WR	WS	Dighinala.
Dighinala	WS	WT	Banderban.
Banderban	WT	WU	Ruma.
Ruma	WU	WV	Lama.
Lama	WV	WW	Nakhyongchari.
Nakhyongchari	WW	WX	Ramgarh.
Ramgarh	WX	WY	Mahalchhari.
Mahalchhari	WY	WZ	....

**Schedule III.**

Illustration of registration plate showing registration number (see paragraph 5).



The plate is of metal or wood, measuring 4 inches by 3 inches and bearing the registration number in black upon a yellow ground. The letters and figures are not less than  $1\frac{1}{4}$  inches in height and one-eighth inch in thickness.

**Schedule IV.**

(See paragraph 6.)

Form of application for registration as a dealer in or stockist of pedal cycles under the Pedal Cycles (Registration) Order, 1942.

Name of applicant.....

Address of applicant.....

Nature of applicant's business.....

	Particulars of pedal cycles dealt in—						Remarks.
	For personal use.			For conveyance of goods, etc.			
	Bicycles.	Tricycles.	Others.	Bicycles.	Tricycles.	Others.	
	2	3	4	5	6	7	
Average number sold annually.							
Stock held at date of application.							

**Declaration.**

I, the undersigned applicant, hereby declare that the particulars given above are true to the best of my knowledge and belief and I apply for registration as a dealer in/stockist of pedal cycles under the Pedal Cycles (Registration) Order, 1942.

Signed.....

Date of application.

To the Deputy Commissioner.

**Schedule V.**

(See paragraph 6.)

Certificate of registration as a dealer in/stockist of pedal cycles.

This is to certify that the person described below is exempted under the provisions of paragraph 6 of the Pedal Cycles (Registration) Order, 1942, from liability to comply with the provisions of paragraphs 3, 4 and 5 of that Order and has been assigned the registration number shown below as a dealer in/stockist of pedal cycles.

Particulars of the person exempted.....

Registered number.....

Name.....

Address .....

Signed.....

Deputy Commissioner.....

Dated the.....

**Schedule VI.**

[See paragraph 6 (2).]

Weekly return of transactions in pedal cycles for the week ending Friday, the.....submitted in accordance with the Pedal Cycles (Registration) Order, 1942.

Name of dealer/stockist.....Registered number.....

Address.....

	Particulars of pedal cycles.						
	For personal use.			For conveyance of goods, etc.			
	Bicycles.	Tricycles.	Others.	Bicycles.	Tricycles.	Others.	Remarks.
	2	3	4	5	6	7	8
1. Stock held at beginning of week.							
2. Pedal cycles acquired or added to stock during the week.							
3. Total of 1 plus 2 ..							
4. Pedal cycles disposed of during the week.							
5. Stock now in hand (3 minus 4).							



Name and address of each person from and to whom every pedal cycle received or disposed of during the week has been obtained or made over—

Description and purpose of pedal cycle acquired or added to stock.	Name and address of person from whom obtained.	Description and purpose of pedal cycle disposed of.	Name and address of person to whom made over.
1	2	1	2

I declare that the above particulars are true to the best of my knowledge and belief.

Signed.....

Registered dealer/stockist No.....

Address.....

Date.....

*Notification No. 6932S., dated the 7th January, 1945 (published in the "Calcutta Gazette" of the 10th January, 1946, Pt. I, p. 55).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to repeal the Chittagong Hill-tracts Pedal Cycles (Registration) Order, 1942, published with notification No. 33, dated the 3rd April 1942, at pages 1031-1035, Part I of the *Calcutta Gazette* of the 9th April 1942:

Provided that the said Order shall be deemed to continue in force for the purpose of any investigation or proceeding whether commenced before or after the date of publication of this notification in the *Calcutta Gazette* relating to any contravention of the said Order which has taken place before the said date.

II. With reference to sub-rule (1) of rule 119 of the Defence of India Rules, the Governor is further pleased to direct that notice of this Order shall be given by the publication of this Order in the *Calcutta Gazette* and by the issue of a Press Note summarising and explaining its provisions.

*Notification No. 11-S., dated the 9th April, 1942 (published in the "Calcutta Gazette" of the 16th April, 1942, Pt. I, p. 1077).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, read with sub-rule (2A) of that rule, the Governor is pleased to make the following Order for the registration and licensing of country boats, namely:—

### Order.

Short title,  
commencement  
and application.

1. (1) This Order may be called the Country Boats Registration and Licensing Order.

(2) It shall come into force at once.

(3) It shall apply to the Chittagong Hill Tracts.

2. In this Order, unless there is anything repugnant in the subject or context,— **Definitions.**

- (a) "country boat" means any vessel for the conveyance by inland waterways of persons or property which is not mechanically propelled and include passenger boats and cargo boats;
- (b) "passenger boat" means any boat which ordinarily carries persons other than the *manjhi* or boatman in charge and the crew;
- (c) "cargo boat" means any boat which ordinarily carries any kind of goods or personal property including animals;
- (d) "Registering Officer" means the officer in charge of the police-station within the jurisdiction of which the owner, or agent, or other person in charge, of a country boat ordinarily resides.

3. Any passenger boat capable of carrying ten or more persons or any cargo boat which plies, whether regularly or occasionally, within, or partly within and partly outside, the limits of the areas to which this Order applies shall be registered at the police-station within the jurisdiction of which the owner, or agent or other person in charge of the boat ordinarily resides. **Registration of country boats.**

4. The owner or agent or other person in charge of any country boat required to be registered under this Order shall apply to the officer-in-charge of the police-station within the jurisdiction of which such owner, agent, or other person in charge, as the case may be, ordinarily resides within three days of the publication of this Order in the area included in such police-station for the registration of such boat. **Registration of country boats.**

5. On an application for registration of a country boat being made under paragraph 4 the Registering Officer shall, after inspection of the boat if necessary under paragraph 9, enter the following particulars in the register to be kept by him for the purpose:— **Particulars of registration.**

- (1) Register No.
- (2) Date of registration.
- (3) Name of police-station and district.
- (4) Name and address of owner, if known.
- (5) Name and address of the agent or the person in charge.
- (6) The place where the boat is ordinarily kept.
- (7) Description of boat.

The Registering Officer shall cause the registration number of the boat and the name of the police-station where it is registered to be painted in bold type on the body of the country boat and a certificate of registration shall be supplied to the owner, agent, or other person in charge of the boat as the case may be, by the Registering Officer.

Transfer of  
ownership.

6. Every transfer of ownership of a country boat shall be notified to the Registering Officer in writing within three days of the transfer. Such notification shall be accompanied by the certificate of registration in respect of the boat issued under paragraph 5 for endorsement by the Registering Officer.

License for  
certain cargo  
boats.

7. No cargo boat which is of 25 feet or more in length shall ply either regularly or occasionally within or partly within and partly without the limits of the areas to which this Order applies unless a license has been obtained from the Registering Officer in respect of such boat.

Particulars of  
license of cargo  
boats.

8. On an application for a license in respect of a cargo boat referred to in paragraph 7 being made by the owner, agent, or other person in charge of such boat to the Officer-in-charge of the police-station in which such owner, agent or other person, as the case may be, ordinarily resides, such Officer, shall, after inspection of the boat, if necessary, under paragraph 9, enter the following particulars in the register for license to be kept by him for the purpose of the licensing of such boats, namely:—

- (1) Register No. and date.
- (2) License No. and date.
- (3) Name of police-station.
- (4) Name and address of the owner.
- (5) Name and address of the agent or other person in charge.
- (6) The place where the cargo boat is ordinarily kept.
- (7) Description of boat.
- (8) Names and addresses of the crew on board the cargo boat.

A license shall thereafter be issued by the Registering Officer to the owner or agent or other person in charge of the cargo boat, as the case may be, who applied for such license.

*Notification No. 1202Pl., dated the 11th April, 1942 (published in the "Calcutta Gazette" of the 16th April, 1942, Pt. I, p. 1053).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to order that no person shall remove any transport vehicle from the areas mentioned in the Schedule below without a special permit from—

- (a) in the case of any area in Calcutta, the Military Officer Commanding the Calcutta area or the Commissioner of Police, and
- (b) in the case of any other area, the District Magistrate.

*Explanation.*—In this notification—

- (a) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

- (ii) "transport vehicle" has the same meaning as in the Motor Vehicles Act, 1939 (IV of 1939), but does not include a transport vehicle held by or on behalf of the Crown for any purpose of the combatant armed forces of the Crown.

### The Schedule.

- (1) Calcutta;
- (2) The whole of Barrackpore subdivision, Tollygunge, Behala, Metiabruz, Maheshtolla and Budge Budge police-stations in the district of 24-Parganas;
- (3) Magra, Chinsurah, Bhadreswar, Serampore, and Uttarpara police-stations in the district of Hooghly;
- (4) Uluberia, Bauria, Sankrail, Howrah, Golabari, Sibpur, Bally, Malipanchghora, Jagacha and Bantra police-stations in the district of Howrah.

*Notification No. 165T., dated the 17th November, 1942 (published in the "Calcutta Gazette" of the 19th November, 1942, Pt. I, p. 2575).*

In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules, read with sub-rule (5) of that rule, the Governor is hereby pleased to make the following order:—

### Order.

1. (a) This order may be called the Calcutta Canals Traffic (Control) Order, 1942.

(b) It shall come into force on the 19th November 1942.

2. (1) No vessel carrying a cargo of jute shall be made fast to either bank of the Calcutta canals or kept stationary in such canals for the purpose of discharging jute within the reaches specified below:—

(i) in the Circular Canal, between the Chitpore lock and the Ultadingi bridge,

(ii) in the New Cut Canal, between its junction with the Circular Canal near the Ghuznavi bridge and the Dakhindari bridge.

(2) No person shall discharge, or permit the discharge of, jute from any vessel within the limits of the reaches specified in sub-paragraph (1):

1\*

*Explanation.*—In this paragraph, the expression "Calcutta canals" has the same meaning as in the rules made under the Canals Act, 1864 (Bengal Act V of 1864).

<sup>2</sup>2A. (1) The Provincial Transport Controller, Bengal, may, at his discretion, exempt any vessel or class of vessels from the provisions of paragraph 2, subject to such conditions as he thinks fit to impose.

(2) No person shall discharge, or permit the discharge of, jute from any vessel or class of vessels exempted under sub-paragraph (1) within the limits of the reaches specified in sub-paragraph (1) of paragraph 2 in contravention of the conditions on which exemption has been granted.

3. (1) Every toll-ticket granted under the rules made under the Canals Act, 1864, to a vessel carrying a cargo of jute shall bear an endorsement by

\*Omitted by notification No. 281T., dated the 4th December, 1942.

Inserted by notification No. 2817, dated the 4th December, 1942.

the person authorized to collect tolls or such other persons as may be authorized in this behalf by the Provincial Transport Controller, Bengal, specifying—

(a) the Registration No. of the vessel (if any),

(b) the period during which the vessel will be permitted to remain within the following reaches—

(i) Circular Canal, between the Chitpore toll station and Dhappa lock,

(ii) New Cut Canal, between the junction with the Circular Canal at Ultadingi and the Dhappa lock,

(iii) Kristopur Canal, between the Kristopur toll station and the junction of the Kristopur Canal with the New Cut Canal at the Dakhindari bridge, and

(c) such other particulars as may be specified in this behalf from time to time by the Provincial Transport Controller, Bengal.

(2) The period referred to in sub-paragraph (1) shall be fixed as follows:—

Two days for the journey both ways to and from the toll station plus one day for every 250 maunds or part thereof of the maundage of the vessel as assessed for the payment of toll-charges.

(3) No serang, manjee or other person in charge of a vessel shall keep his vessel in the reaches of the canal specified in clause (b) of sub-paragraph (1) after the expiry of the period endorsed on his toll-ticket under the provisions of that sub-paragraph.

(4) Every vessel bearing a cargo of jute intended to be discharged in the river Hooghly shall obtain a further endorsement on his toll-ticket from the person in charge of the Chitpore Toll Station bearing the date on which the vessel passes that toll station into the river Hooghly whereupon the restriction imposed under sub-paragraph (3) shall cease to have effect during the return journey.

4. The serang, manjee, or other person in charge of every vessel entering the canals shall produce his toll-ticket granted under the rules made under the Canals Act, 1864, on demand by any Police Officer not below the rank of Sub-Inspector or any person authorized to collect tolls under the said rules or by any officer to whom such person is subordinate or by such other person as may be authorized by the Provincial Transport Controller, Bengal, in this behalf and every such ticket shall be surrendered to the authority which granted it at the time of passing the toll station of issue on the return journey.

5. The maximum number of vessels to be permitted to enter the canal through the Kristopur and Chitpore toll stations shall not exceed 250 per day in each case.

*Notification No. 433T., dated the 31st December, 1942 (published in the "Calcutta Gazette, Extraordinary" of the 31st December, 1942).*

In exercise of the powers conferred by clauses (a) and (i) of sub-rule (2) of rule 89 of the Defence of India Rules and in supersession of the Government of Bengal, Home (Police) Department, notification No. 4386Pl., dated the 18th September, 1942, the Governor is pleased to make the following Order, namely:—

### **Order.**

1. This Order shall come into force on the 1st day of January 1943.

2. No person shall use a motor vehicle, and no person owning or having charge of or control over a motor vehicle, shall permit the use of such motor vehicle, in any place within the province of Bengal unless a special permit authorising its use on the road has been issued in respect of the motor vehicle by the Area Rationing Authority having jurisdiction in respect of such vehicle to issue coupons under the Motor Spirit Rationing Order, 1941, and unless the special permit so issued is carried on the motor vehicle when such vehicle is being used.

3. Nothing in this Order shall apply to a motor vehicle employed by the Central or the Provincial Government in or in the maintenance of His Majesty's Forces or for defence or internal security purposes or required by any railway administration for purposes other than the supply to the public of facilities for the carriage of goods or passengers or to a motor vehicle specially exempted from the provisions of this Order by the Provincial Government.

4. In this Order, the expressions "Area Rationing Authority", "coupon" and "motor vehicle" have the same meanings as in the Motor Spirit Rationing Order, 1941.

5. Permits granted under the Government of Bengal, Home (Police) Department, notification No. 4386Pl., dated the 18th September, 1942, which were valid on the 31st December, 1942, shall be deemed to have been granted under this Order.

*Notification No. 9824G., dated Darjeeling, the 13th December, 1944 (published in the "Calcutta Gazette" of the 21st December, 1944, Pt. I, p. 1535).*

Whereas in my opinion it is necessary and expedient for securing the defence of British India and the public safety to provide for traffic signs prohibiting the use of certain roads by motor vehicles;

Now, therefore, in exercise of the powers conferred on me under rule 89 (2) of the Defence of India Rules, read with Government notification No. 3650P., dated 6th April 1942, I make the following order in relation to road transport in the district of Darjeeling, namely:—

- (a) That no motor vehicle shall operate on a road which is not open to such vehicle. Traffic signs have been posted within the limits of the Darjeeling Municipality clearly indicating which roads are closed to motor vehicles.
- (b) If any person contravenes the provision of this order, he shall be liable for prosecution under rule 89 (6) of the Defence of India Rules which provides a punishment with imprisonment which may extend to six months or with fine or with both.

*Notification No. 4447T., dated the 1st August, 1944 (published in the "Calcutta Gazette" of the 10th August, 1944, Pt. I, p. 993).*

In exercise of the power conferred by clause (e) of sub-rule (2) of rule 89 of the Defence of India Rules and in supersession of Order No. 1798T., dated the 3rd August 1943, the Governor is pleased to make the following Order, namely:—

1. Notwithstanding anything contained in sub-rule (a) of rule 179 of the Bengal Motor Vehicles Rules, 1940, the tariff chargeable under that sub-rule in respect of motor cabs registered in Calcutta under the Motor Vehicles Act, 1939, on each occasion of hiring such a cab for road transport shall, with effect from the 15th day of August 1944, be one rupee for the first mile or part thereof and two annas for every one-sixth of each subsequent mile.

2. In this Order—

- (a) "motor cab" has the same meaning as in clause (15) of section 2 of the Motor Vehicles Act, 1939;
- (b) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

*Notification No. 2680Pl., dated the 15th August, 1945 (published in the "Calcutta Gazette" of the 23rd August, 1945, Pt. I, p. 1379).*

In exercise of the power conferred by sub-rule (1) of rule 89A of the Defence of India Rules, the Governor is pleased to specify the Calcutta Dock Area lying within the boundaries mentioned in the Schedule hereto annexed to be the locality in which the provisions of the said rule shall apply.

**The Schedule.**

*Northern boundary*—North line of and including Watgunj Street.

*Eastern boundary*—East line of and including Circular Garden Reach Road.

*Southern boundary*—South line of and including Nimak Mohal Road.

*Western boundary*—West line of and including Garden Reach Road.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XIII—Financial Provisions—The Rules and Orders made by the Central Government and the Bengal Government under rules 90-96 of the Defence of India Rules.

#### (1) Rules and Orders made by the Central Government under rules 90-96 of the Defence of India Rules.

*Notification No. F. 4(5)-F/43, dated the 7th December, 1943 (published in the "Gazette of India" of the 11th December, 1943, Pt. I, p. 1323).*

In exercise of the powers conferred by rule 93A of the Defence of India Rules and in supersession of the notification of the Government of India in the Finance Department No. D-11367-F., dated the 2nd September, 1942, the Central Government hereby notifies that the minimum prices of the undermentioned Government securities shall be as follows:—

Description of Government Security.				Minimum price.		
				Rs.	a.	p.
3	per cent. Defence Bonds, 1946	..	..	101	0	0
3½	per cent. Loan, 1947-50	..	..	101	8	0
2½	per cent. Loan, 1948-52	..	..	98	0	0
4	per cent. Loan, 1948-53	..	..	104	8	0
3	per cent. Loan, 1949-52	..	..	99	8	0
4½	per cent. Loan, 1950-55	..	..	108	8	0
3	per cent. Loan, 1951-54	..	..	98	8	0
3	per cent. Loan, 1953-55	..	..	98	0	0
3½	per cent. Loan, 1954-59	..	..	103	0	0
4½	per cent. Loan, 1955-60	..	..	112	8	0
4½	per cent. Loan, 1958-68	..	..	113	8	0
4	per cent. Loan, 1960-70	..	..	108	8	0
3	per cent. Loan, 1963-65	..	..	95	0	0
3	per cent. Loan, 1966-68	..	..	95	0	0
3	per cent. Non-terminable Loan	..	..	80	8	0
3½	per cent. Non-terminable Loan	..	..	94	0	0
4	per cent. Punjab Loan, 1948	..	..	103	8	0
3	per cent. Punjab Loan, 1949	..	..	98	0	0
3	per cent. Central Provinces and Berar Loan, 1949	..	..	98	0	0
3	per cent. Punjab Loan, 1952	..	..	96	0	0
3	per cent. United Provinces Loan, 1952	..	..	96	0	0
3	per cent. Central Provinces and Berar Loan, 1952	..	..	96	0	0
3	per cent. Madras Loan, 1952	..	..	96	0	0
3	per cent. Assam Loan, 1952	..	..	96	0	0
3	per cent. North-West Frontier Province Loan, 1952	..	..	96	0	0



## Description of Government Security.

## Minimum price.

			Rs.	a.	p.
3	per cent. Madras Loan, 1953	.. ..	96	0	0
3	per cent. Punjab Loan, 1955	.. ..	95	0	0
3	per cent. Central Provinces and Berar Loan, 1955		95	0	0
3	per cent. Madras Loan, 1955	.. ..	95	0	0
3	per cent. Bombay Loan, 1955	.. ..	95	0	0
3	per cent. Punjab Loan, 1956	.. ..	95	0	0
3	per cent. Central Provinces and Berar Loan, 1956		95	0	0
3	per cent. Madras Loan, 1956	.. ..	95	0	0
3	per cent. Bombay Loan, 1956	.. ..	95	0	0
3	per cent. Punjab Loan, 1958	.. ..	92	0	0
3	per cent. Madras Loan, 1959	.. ..	92	0	0
3	per cent. United Provinces Loan, 1961-66	.. ..	88	0	0
3	per cent. Bombay Loan, 1958	.. ..	94	0	0
3	per cent. Central Provinces and Berar Loan, 1958		94	0	0
3	per cent. Madras Loan, 1958	.. ..	94	0	0
3	per cent. Punjab Bonds, 1958	.. ..	94	0	0
3	per cent. United Provinces Loan, 1958	.. ..	94	0	0
3	per cent. Sind Government Loan, 1958	.. ..	94	0	0

*Notification No. D. 926-B/41, dated the 8th February, 1941 (published in the "Gazette of India, Extraordinary" of the 8th February, 1941, P. 144).*

Whereas the Central Government is of opinion that it is expedient for the purpose of strengthening its financial position to transfer to itself certain foreign securities.

Now, therefore, in exercise of the powers conferred by sub-rule (3) of rule 94 of the Defence of India Rules the Central Government is pleased to make the following Order, namely:—

All securities of the descriptions specified in the first column of the Schedule hereto annexed, other than those to which the provisions of the said rule do not apply by virtue of sub-rule (6) thereof, are hereby transferred to the Central Government at the prices specified in the corresponding entries in the second column of the said Schedule.

**Schedule.***Description and acquisition price of securities.*

Description of securities.			Price per security of £100 nominal.		
(Column 1).			(Column 2).		
			Rs.	a.	
5	per cent. India Stock, 1942-47	.. ..	1,397	11	
4½	per cent. India Stock, 1950-55	.. ..	1,467	14	
4½	per cent. India Stock, 1958-68	.. ..	1,504	11	
4	per cent. India Stock, 1948-53	.. ..	1,421	1	
3½	per cent. India Stock, 1954-59	.. ..	1,370	14	
3	per cent. India Stock, 1949-52	.. ..	1,330	12	

*Notification No. F.4(9)-F/43, dated the 14th December, 1943 (published in the "Gazette of India" of the 18th December, 1943, Pt. I, p. 1352).*

In exercise of the powers conferred by sub-rule (3) of rule 94 of the Defence of India Rules, the Central Government is pleased to direct that the order published with the notification of the Government of India in the Finance Department No. F.4(22)-F./40, dated the 10th March 1941, shall cease to have effect from the 31st December 1943, except as respects things done or omitted to be done under the said order before the date last mentioned.

*Notification No. F.14(1)-ECI/45, dated the 5th December, 1945 (published in the "Gazette of India, Extraordinary" of the 8th December, 1945, p. 1050).*

In exercise of the powers conferred by sub-rule (9) of rule 94A of the Defence of India Rules and in supersession of the Exemption Order, No. F. 14(8)ECI/44, dated the 20th August 1945, the Central Government is pleased to grant exemption from the provisions of the said Rule, as follows, namely:—

- (a) from the provisions of sub-clause (i) of clause (a) of sub-rule (2), and of sub-rule (4) and sub-rule (7)—
  - (i) the issue and acceptance of securities other than debentures being an issue made by a person in the ordinary course of his business and solely for the purposes of that business to another person carrying on the business of banking or to such other person's nominee in respect of advances or over-drafts from time to time granted or to be granted by such other person; and
  - (ii) charges made under mining leases by the lessees in favour of the lessors charging the assets of a company for the due payment of rents and royalties reserved by the instrument of lease;
- (b) from the provisions of sub-rule (5) in so far as such provisions relate to any document publicly offering for sale—
  - (i) any security issued in British India before the 17th May 1943, and
  - (ii) any security issued outside British India before that date being a security of a class of which no further issue has been made after that date by or on behalf of the same company without the consent or recognition of the Central Government;
- (c) from all the provisions of the said Rule—
  - the issue of securities by any company not being a banking company or an insurance company or a provident society incorporated as a company, and all transactions relating to securities so issued, provided that the value of the consideration involved in such issue together with the value of the consideration involved in any previous issue of securities, not being an issue covered by clause (a) of this Order, made by such company within the twelve months next preceding such issue shall not exceed in all five lakhs of rupees;

In this clause the expression "the consideration involved" means, in the case of securities without a nominal value, the amount to be raised by the issue of the securities and, in the case of securities with a nominal value, the sum of the total nominal value and of any premium entrance fee or other payment which the person subscribing to the securities may be called upon to pay;

(d) from the provisions of sub-rule (8)—

- (i) securities the issue of which has involved a contravention of sub-rule (2), sub-rule (4) or sub-rule (5) if such contravention has been condoned under the provisions of sub-rule (6);
- (ii) any security transferred by the operation of the law of inheritance or succession or by the decree of a competent court.

In this Order the expressions “securities”, “banking company”, “insurance company” and “provident society” shall have the meanings respectively assigned to them by clause (a) of sub-rule (1) of rule 94A of the Defence of India Rules, section 277F of the Indian Companies Act, 1913, clause (8) of section 2 of the Insurance Act, 1938, and sub-section (1) of section 65 of the Insurance Act, 1938.

*Notification No. CG. 611/12, dated the 12th August, 1943 (published in the “Calcutta Gazette” of the 2nd September, 1943, Pt. 1A, p. 287).*

In exercise of the powers conferred by rule 94B of the Defence of India Rules, the Central Government is pleased to prohibit the making of advances of money to any person on the security of any foodgrain as defined in clause 2 of the Foodgrains Control Order, 1942, unless—

- (a) that person is the holder of a license issued or deemed to be issued under the said Order, or
- (b) the advance is to be made to that person on the security of foodgrain produced by himself or his tenant.

*Notification No. F.6(63)-F/I/45, dated the 26th May, 1945 (published in the “Gazette of India” of the 26th May, 1945, Pt. I, p. 608).*

In exercise of the powers conferred by sub-rule (F) of rule 94B of the Defence of India Rules, the Central Government is pleased to direct that every banking company carrying on business in British India which has made advances of money on the security of bullion shall furnish to the Reserve Bank of India such information relating to those advances of money as may from time to time be required by the said Bank.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XIII—Financial Provisions—The Rules and Orders made by the Central Government and the Bengal Government under rules 90-96 of the Defence of India Rules.

#### (2) Rules and Orders made by the Provincial Government of Bengal under rules 90-96 of the Defence of India Rules.

*Notification No. 4309P., dated the 19th July, 1941 (published in the "Calcutta Gazette" of the 24th July, 1941, Pt. I, p. 1812).*

In exercise of the powers conferred by rule 96 of the Defence of India Rules the Governor is pleased to make the following Order, namely:—

#### Order.

1. In this order, unless there is anything repugnant in the subject or context,—

(a) "Collector" means—

(i) in the case where the property in respect of which compensation is claimed is, at the time when the right to such compensation accrues, situated within the town of Calcutta as defined in the Calcutta Police Act, 1866, or the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866,—the 1st Land Acquisition Collector, Calcutta, and

(ii) in the case where such property is, at the time when the right to such compensation accrues, situated elsewhere,—the Collector of the district in which such property is at such time situated, and includes any other person appointed by the Provincial Government to exercise the powers of a Collector under this Order.

(b) "compensation" means the compensation payable under rule 96 of the Rules;

(c) "Rules" means the Defence of India Rules.

2. Every claim for compensation shall be made in writing and shall be presented to the Collector as soon as possible after the right to compensation accrues.

3. Where the amount of compensation in respect of any property removed, destroyed, rendered useless, used <sup>1</sup>[requisitioned or acquired] by, or otherwise placed at the disposal or under the control of the Provincial Government by an order under rules 49, <sup>1</sup>[66, 76, 78, 79 and 80] of the Rules, as the case may be, has been agreed upon between the Provincial Government and the owner of the said property and such agreement has been reached on the basis of a condition that the said property is to be

<sup>1</sup>Substituted by notification No. 699P., dated the 20th January, 1942.

restored to such owner in a specified state of repair, any claim for further compensation on the ground that the said property is not returned in the state of repair agreed upon shall be made in writing and shall be presented to the Collector as soon as possible after the said property is restored to such owner.

4. Every claim made under paragraphs 2 and 3 of this order shall state *inter alia*—

- (a) how the claim has arisen,
- (b) the amount of compensation claimed, and
- (c) the reasons for claiming such an amount.

5. Where no agreement as to the amount of compensation payable is reached between the Provincial Government and the owner of any property in respect of which compensation is claimed, the Provincial Government shall appoint as arbitrator a person having expert knowledge of matters such as those in dispute and the said person shall determine, subject to the provisions of paragraphs 6 and 7 of this order and having regard to the circumstances of the case, the amount of compensation, if any, payable to such owner and shall make an award in writing which shall be final in respect of such claim.

6. In determining the amount of compensation regard shall be had to any actual pecuniary loss suffered by the owner of the property in respect of which compensation is claimed which is directly attributable to the operation of the order made under rules 49, <sup>1</sup>[66, 76, 78, 79 and 80] of the Rules, as the case may be, which has occasioned the accrual of a right to such compensation and to any special services rendered by such owner to the Provincial Government in the particular case or any expenses incurred by such owner in complying with such order.

7. The arbitrator appointed under paragraph 5 to determine the compensation, if any, payable in respect of any particular claim shall before making his award thereon give an opportunity to the Collector to make any representation the Collector may deem fit to make in respect of such claim. A claimant shall be heard in person, or by pleader if he so desires, and evidence may be taken if the arbitrator considers it necessary.

---

<sup>1</sup>Substituted by notification No. 699P., dated the 20th January, 1942.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XIV—Control of Trading with Enemy—The Rules and Orders made by the Central Government and the Bengal Government under rules 97-102 of the Defence of India Rules.

The Rules and Orders made by the Central Government under rules 97-102 of the Defence of India Rules.

*Notification No. 30-DC (2)45, dated the 24th March, 1945 (published in the "Gazette of India, Extraordinary" of the 24th March, 1945, p. 213).*

In pursuance of clause (d) of rule 97 of the Defence of India Rules, and in supersession of the notification of the Government of India in the Defence Department No. 30DC/10E/44, dated the 18th September, 1944, the Central Government is pleased to declare each of the persons or bodies of persons specified in the Schedule hereto annexed to be an enemy for the purposes of Part XV of the said Rules.

2. This notification shall take effect from the 24th March, 1945.

#### Schedule.

*(See "Gazette of India, Extraordinary", dated the 24th March, 1945, page 213.)*

*Notification No. 194(1)-E.T./41, dated the 11th March, 1941 (published in the "Calcutta Gazette" of the 10th April, 1941, Pt. I A, p. 196).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. This Order may be called the Enemy (Shipping Claims) Order, 1941.

2. In this Order the expressions "enemy" and "enemy territory" have the meanings respectively assigned to them in rules 97 and 2 of the Defence of India Rules.

3. C. W. Bateson, Esquire, of Messrs. Thomas Cooper and Company, London, J. W. Boyle, Esquire, of the Asiatic Petroleum Company, Limited, and Henry Morgan, Esquire, of Morgan Brothers and Company, London, or any one or more of them, or their agents in India, Messrs. Mackinnon and Mackenzie, Calcutta, are hereby authorised to take, on the instructions and in the names and on behalf of the persons beneficially interested, such steps and proceedings as they may consider desirable for the purpose of:—

(a) obtaining possession of any cargo lying in a ship at a port in any country not being enemy territory, other than cargo in a ship owned by a person who was an enemy prior to the 9th day of April, 1940:

- (b) enforcing and obtaining payment of any claim (other than a claim to the possession of cargo lying in a ship owned by a person who was an enemy prior to the 9th day of April, 1940) against any ship owned or chartered by an enemy, or against the owner, charterer, master or agent of any such ship; or
- (c) resisting any claim made by the owner, charterer, master or agent of any ship owned or chartered by an enemy;

provided that, without an authority given generally or specially in that behalf by the Central Government; (a) no payment shall be made to or for the benefit of any enemy, and (b) no compromise shall be made of any claim against an enemy on receiving payment of less than the full amount of the claim.

*Notification No. 102(18)-E.T.(B)/41, dated the 1st August, 1941 (published in the "Calcutta Gazette" of the 21st August, 1941, Pt. I A, p. 421).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit all commercial and financial dealing with any person or body of persons (whether corporate or unincorporate) carrying on business in the territories formerly known as Italian East Africa.

*Notification No. 233-Ind. (7)/41, dated the 4th October, 1941 (published in the "Calcutta Gazette" of the 13th November, 1941, Pt. I A, p. 585).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98, and sub-rule (3) of rule 104 of the Defence of India Rules, 1939, the Central Government is hereby pleased to authorise—

- (1) the payment on behalf of any person, not being an enemy, of any fees necessary for obtaining the renewal of patents in enemy territory, and the payment to enemies of their charges and expenses in relation to the matter aforesaid;
- (2) the payment on behalf of an enemy of any fees payable on renewal of the grant of patents in any country, not being enemy or neutral territory, and the payment on behalf of an enemy to persons not being enemies, of their charges and expenses, in relation to the matter aforesaid, and the receipt of payments from an enemy in relation to the matter aforesaid:

Provided always that any payment on behalf of an enemy under this paragraph, unless it is made by a person who has an interest in or under the patent in question, may be made by the person making the same only out of moneys—

- (a) remitted by or on behalf of such enemy, or
- (b) accrued due to such enemy since the outbreak of war, or
- (c) owed by a patent agent (in his business as such) in British India to a patent agent in enemy territory,

and not by way of gift or by way of advancement or loan to or on account of such enemy.

*Notification No. 81(8)-E.T.(A)/42, dated the 26th September, 1942 (published in the "Calcutta Gazette" of the 12th November, 1942, Pt. I A, p. 936).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit all commercial and financial dealings with the

branch in Calcutta of the Java Sea and Fire Insurance Company, Limited, Batavia, subject to the observance of the following conditions by the said branch, namely:—

- (1) There shall be no communication, direct or indirect, with enemy territory or an enemy and directions as to policy shall be accepted only from the London Office of the Company.
- (2) No remittance shall be made to or for the benefit of any enemy person and any firm or corporation, which is an enemy, and where they apply, the Defence of India Rules and the regulations thereunder must be observed.
- (3) There shall be no transactions with the Netherlands East Indies or any other Dutch territories which are under enemy occupation.
- (4) A statement of the financial position of the business shall be submitted to the Controller of Enemy Trading and the Reserve Bank of India at such intervals and in such manner as these authorities may require.
- (5) All transactions concerning which there is a doubt that they may infringe the (i) enemy trading or (ii) exchange control provisions of the Defence of India Rules or any orders made thereunder shall be referred to the Controller of Enemy Trading or the Reserve Bank of India, respectively.
- (6) Reports of transactions outside the sterling area shall be submitted to the Controller of Enemy Trading at such intervals and in such manner as he may require.

*Notification No. 102(5)-E.T.(B.)/42, dated the 26th September, 1942 (published in the "Calcutta Gazette" of the 12th November, 1942, Pt. I A, p. 937).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (I) of rule 98 of the Defence of India Rules, the Central Government has been pleased to permit persons and concerns in India to have commercial, financial or other intercourse or dealings with agents or branches in British India of persons or concerns resident in enemy occupied territories of Burma and the Andaman and Nicobar Islands (other than those of subjects of a State at war with His Majesty and of concerns owned or controlled by such subjects).

*Notification No. 81(8)-E.T. (A)/42, dated the 5th December, 1942 (published in the "Calcutta Gazette" of the 24th December, 1942, Pt. I A, p. 996).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (I) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit all commercial and financial dealings with the companies specified in the Schedule hereto annexed subject to the observance of the following conditions by the said companies, namely:—

- (1) There shall be no communication, direct or indirect, with enemy territory or an enemy and no directions as to policy shall be accepted from any person resident outside the British Empire.
- (2) No remittance shall be made to or for the benefit of any enemy person and any firm or corporation, which is an enemy, and where they apply, the Defence of India Rules and the regulations thereunder must be observed.
- (3) There shall be no transactions with the Netherlands, East Indies or any other Dutch territories which are under enemy occupation.



- (4) A statement of the financial position of the business shall be submitted to the Controller of Enemy Trading and the Reserve Bank of India at such intervals and in such manner as these authorities may require.
- (5) All transactions concerning which there is a doubt that they may infringe the (i) enemy trading or (ii) exchange control provisions of the Defence of India Rules or any orders made thereunder shall be referred to the Controller of Enemy Trading or the Reserve Bank of India, respectively.
- (6) Reports of transactions outside the sterling area shall be submitted to the Controller of Enemy Trading at such intervals and in such manner as he may require.

#### Schedule.

1. The Trading Company late Hegt and Company, Limited.
2. The Holland-Bombay Trading Company, Limited, Bombay.

*Notification No. 83(9)-E.T. (A)/43-(1), dated the 4th March, 1944 (published in the "Gazette of India" of the 4th March, 1944, Pt. I, p. 257).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 and rule 99 of the Defence of India Rules, the Central Government is hereby pleased—

- (a) to authorise all persons to have any commercial financial or other intercourse or dealings with any body of persons constituted or incorporated in the Kingdom of Netherlands or in the Kingdom of Belgium which has transferred its head office in accordance with Act No. 200, dated the 26th April, 1940, of the Netherlands Government, or as the case may be, <sup>1</sup>[with the decrees, dated the 19th February, 1942, and 19th March, 1942,] of the Belgian Government to a place outside enemy territory, and
- (b) to direct that any transactions between any such body of persons as aforesaid and any other person, whether entered into before or after the date of this Notification, shall be as effective for the purpose of conferring rights and remedies on the parties to those transactions or on persons claiming under them, as if the said body of persons had been constituted or incorporated elsewhere than in enemy territory:

Provided that nothing in this notification shall be deemed to authorise any communication with enemy territory either directly or indirectly.

*Notification No. 120(1)-E.T. (B)/44, dated the 11th November, 1944 (published in the "Gazette of India, Extraordinary" of the 11th November, 1944, p. 1513).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit, subject to the reservations hereinafter mentioned, persons and concerns in British India to have correspondence with persons and concerns in liberated Italy.

2. Private trade, despatch of powers of attorney and proxies, and correspondence relating to Italian-owned property in India will continue to be subject to the said rule and require the special permission of the Central Government.

---

<sup>1</sup>Substituted by notification No. 102(10)-E.T.(A)/44, dated the 23rd September, 1944.

*Notification No. 120(2)-E.T. (B)/44, dated the 2nd December, 1944 (published in the Gazette of India" of the 2nd December, 1944, Pt. I, p. 1539).*

In exercise of the powers conferred by clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit persons and concerns in India to have correspondence with the whole of France, except the territory mentioned in the Schedule hereto annexed, subject to the condition that such correspondence is restricted to ascertaining facts and exchanging information only.

#### **Schedule.**

The Departments of Meuse, Meurthe-et-Moselle, Vosges, Hautesaone, Doubs, Moselle, Basrhin and Hautrhin, and the territory of Belfort.

*Notification No. 120(4)-E.T. (B)/44, dated the 23rd December, 1944 (published in the "Gazette of India" of the 23rd December, 1944, Pt. I, p. 628).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit persons and concerns in British India to have correspondence with persons and concerns in Belgium on personal or business matters subject to the conditions that all such correspondence is conducted through letters not exceeding 1 oz. by weight each or non-illustrated post cards and that business correspondence is confined to exchange of facts and information only.

*Notification No. 120(1)-E.T. (B)/45, dated the 3rd February, 1945 (published in the "Gazette of India" of the 3rd February, 1945, Pt. I, p. 135).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit persons and concerns in British India to have correspondence with persons and concerns in the parts of Holland specified in the Schedule hereto annexed on personal or business matters, subject to the conditions that all such correspondence is conducted through letters not exceeding 1 oz. by weight each or non-illustrated post cards and that business correspondence is confined to ascertaining facts and exchanging information only.

#### **Schedule.**

Towns of Eindhoven, Geldrop, Valkenswaard, Tilburg, Oisterwijk, Bortel, Schijndel, Middleburg, Flushing, Goes, Yerseke, Hanswurt, areas in immediate vicinity of the towns, and territory south of river Scheldt and to most of area south of river Maas up to German frontier, including islands of Walcheren, North and South Beveland.

*Notification No. 120(5)-E.T. (B)/45, dated the 7th April, 1945 (published in the "Gazette of India" of the 7th April, 1945, Pt. I, p. 399).*

In pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit persons and concerns in British India to have correspondence with persons and concerns in Finland, subject to the conditions that business and financial correspondence is confined to ascertaining facts and exchanging information only, and that such correspondence from British India is conducted through letters (including printed and commercial papers) not exceeding 2 ounces in weight in each case or post cards.

*Notification No. 120(6)-E.T. (B)/45, dated the 7th April, 1945 (published in the "Gazette of India" of the 7th April, 1945, Pt. I, p. 399).*

In pursuance of clause (a) of the proviso to sub-rule (I) of rule 98 of the Defence of India Rules, the Central Government is pleased to permit persons and concerns in British India to have correspondence with persons and concerns in Roumania, subject to the conditions that business and financial correspondence is confined to ascertaining facts and exchanging information only and that such correspondence from British India is conducted through letters (including printed and commercial papers) not exceeding two ozs. in weight in each case or post cards.

*Notification No. D.-2048-E.T./40, dated the 27th July, 1940 (published in the "Gazette of India" of the 8th August, 1940, Pt. IA, p. 373).*

In pursuance of rule 99 of the Defence of India Rules, the Central Government is pleased to direct that any transactions between any bank in British India and any of the branches in British India of the firm incorporated in Copenhagen, known as the East Asiatic Company, Limited, which were entered into after the occupation by Germany of Copenhagen, shall be as effective for the purpose of conferring rights and remedies on the parties to those transactions or any persons claiming under them, as if the said occupation had not taken place.

*Notification No. 1 (26)-E.T./40, dated the 3rd June, 1940 (published in the "Calcutta Gazette" of the 4th July, 1940, Pt. IA, p. 242).*

In exercise of the powers conferred by rule 101 of the Defence of India Rules, the Central Government is pleased to order that the Controller of Enemy Trading in India, Bombay, shall supervise the business of the firm known as the Bata Shoe Company, Limited, Calcutta, in order to secure compliance with the provisions of Part XV of the said Rules.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XV—Control of Enemy Firms—The Rules and Orders made by the Central Government and the Bengal Government under rules 103-114A of the Defence of India Rules.

#### Rules and Orders made by the Central Government under Rules 103-114A of the Defence of India Rules.

*Notification No. 154(9)-E.T. (A)/41, dated the 27th December, 1941 (published in the "Calcutta Gazette" of the 22nd January, 1942, Pt. IA, p. 39).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firm of Mr. J. Eichholz (the Eichholz Trading Company), Victory Court, 36, Chowringhee Road, Calcutta.

The Central Government is further pleased to direct that the trading activities of the said firm shall be confined to countries within the British Empire.

*Notification No. 184(11)-E.T. (A)/41, dated the 3rd January, 1942 (published in the "Calcutta Gazette" of the 22nd January, 1942, Pt. IA, p. 42).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firm of S. Maione, 71/1, Meredith Street, Calcutta (owner of Carlton Hair Dressing Saloon, Calcutta).

The Central Government is further pleased to direct that the trading activities of the said firm shall be confined to India only.

*Notification No. 79(13)-E.T.-(A)/42, dated the 11th April, 1942 (published in the "Calcutta Gazette" of the 30th April, 1942, Pt. IA, p. 342).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firms specified in the Schedule hereto annexed.

The Central Government is further pleased to direct that the Indian partners of the said firms shall through their Solicitors, Messrs. Orr Dignam and Company, Calcutta,

- (a) submit to the Deputy Custodian of Enemy Property, Calcutta, returns of income accruing to the Japanese partners,
- (b) remit to the Deputy Custodian profits which will accrue and be due to the Japanese partners, and
- (c) furnish in advance to the Deputy Custodian any contemplated major alteration in the working policy of the said firms.

**Schedule.**

1. The Indian Rubber Goods Manufacturing Company, 47, Murari-puker Road, Calcutta.
2. Esavi Indian Match Manufacturing Company, 46/47, Muraripuker Road, Calcutta.
3. Calcutta Silk Weaving Company.
4. The Zenul Saw Mills, 44/2, Canal East Road, Calcutta.

*Notification No. 79(17)-E.T.-(A)/42, dated the 23rd May, 1942 (published in the "Calcutta Gazette" of the 25th June, 1942).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firm of Gujrat Silicate Works, Calcutta.

The Central Government is further pleased to direct that the Indian partners of the said firm shall—

- (a) submit to the Deputy Custodian of Enemy Property, Calcutta, returns of income accruing to the Japanese partner as well as annual accounts of the firm;
- (b) remit to the Deputy Custodian profits which will accrue and be due to the Japanese partner; and
- (c) furnish in advance to the Deputy Custodian any contemplated major alteration in the working policy of the firm.

*Notification No. 93(18)-E.T. (A)/42, dated the 26th September, 1942 (published in the "Calcutta Gazette" of the 12th November, 1942, Pt. IA, p. 936).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firms specified in the Schedule hereto annexed.

2. The Central Government is further pleased to direct that the trading activities of the said firms shall be confined to India only.

**Schedule.**

- (1) Mr. Renato Schmitz, 6, Patel Manzil "B", 20, Nepean Sea Road, Bombay.
- (2) Dr. W. Aschkanasy, Deepak Mahal, Marine Drive, Bombay.
- (3) Dr. L. T. Grunberg, Beg Villa, 216, Cadell Road, Mahim, Bombay.
- (4) Mr. J. Zeichner, Ganga Bihar, Marine Drive, Bombay.
- (5) Dr. J. Less, Wellesley House, 13, Cooperage Road, Bombay.
- (6) Dr. (Mrs.) L. Kronenberger, 8, Wodehouse Road, Bombay.
- (7) Dr. Samuel Kopeliowitch, Delhi.

*Notification No. 93(20)-E.T. (A)/42, dated the 26th September, 1942 (published in the "Calcutta Gazette" of the 12th November, 1942, Pt. IA, p. 937).*

With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules, the Central Government is pleased to permit all persons to have commercial and financial dealings with the enemy firm of Mrs. Erna Hayn Kaiser, Bombay.

2. The Central Government is further pleased to direct that the trading activities of the said firm shall be confined to India only.

*Notification No. 126-S.R.B., dated the 4th September, 1939 (published in the "Calcutta of India, Extraordinary", of the 4th September, 1939).*

In exercise of the powers conferred by rule 105 of the Defence of India Rules, the Central Government is pleased to appoint the Agent of every branch of the Imperial Bank of India in British India to be an Inspector of Enemy Firms for the revenue district in which the branch is situate.

*Notification No. 288-O.R./39, dated the 14th December, 1939 (published in the "Calcutta Gazette" of the 28th December, 1939, Pt. IA, p. 559).*

Whereas it appears to the Central Government that the control and management of the Allianz Und Stuttgarter Life Insurance Bank, Ltd., being an enemy firm as defined in rule 103 of the Defence of India Rules, has been so affected by the state of war as to prejudice the effective continuance of its business in British India, and that it is in the public interest that the said business should be carried on:

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 113A of the Defence of India Rules, the Central Government is pleased to authorise Messrs. A. F. Ferguson and Company, Chartered Accountants of Bombay, to carry on the said business:

Provided that the said Ferguson and Company—

- (i) shall, in the management of the said business, be accountable to the Central Government, and be subject to the superintendence, direction and control of the Central Government, and
- (ii) shall not effect any new contracts of life insurance.

*Notification No. 168-I.(21)-W/40, dated the 1st June, 1940 (published in the "Calcutta Gazette" of the 13th June, 1940, Pt. IA, p. 204).*

In pursuance of clause (c) of sub-rule (2) of rule 113A of the Defence of India Rules, the Central Government is pleased to order that Messrs. A. F. Ferguson and Company, who have been authorised under sub-rule (1) of the said rule to carry on the business of the enemy firm known as the Allianz Und Stuttgarter Life Insurance Bank, Limited, shall, not, as agent of the said enemy firm, be bound by any obligation imposed by any contract of insurance in so far as the same stipulates for the payment of any bonus, profit, interest or dividend accruing as a result of the valuation as at the 31st December 1938 and any subsequent valuations.

*Notification No. 168-I. (2)-W./39, dated the 22nd February, 1941 (published in the "Calcutta Gazette" of the 13th March, 1941, Pt. IA, p. 75).*

In pursuance of clause (c) of sub-rule (2) of rule 113A of the Defence of India Rules, the Central Government is pleased to direct that Messrs. A. F. Ferguson and Company who have been authorised under sub-rule

(1) of the said rule to carry on the business of the enemy firm known as the Allianz Und Stuttgarter Life Insurance Bank, Limited, shall not be bound by any obligation or limitation imposed on them, as agent of the said enemy firm, by or under any law in respect of the following matters, namely:—

- (1) The matters specified in sections 3, 11, 13, 15, 16, 27, 28, 40, 43, 44, 47, 50, 63 and 64 of the Insurance Act, 1938 (IV of 1938).
- (2) The submission of an annual balance-sheet or statement in the form of a balance-sheet in accordance with the provisions of sub-section (3) of section 277 of the Indian Companies Act, 1913 (VII of 1913).

*Notification No. 241-O. R./39, dated the 29th September, 1939 (published in the "Calcutta Gazette" of the 25th January, 1940, Pt. IA, p. 16).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. This order may be called the Control of Internees' Property Order, 1939.

2. (1) In this Order,—

- (a) "Custodian" means the Custodian of Enemy Property for British India appointed under rule 114 of the Defence of India Rules and includes any Deputy or Assistant Custodian of Enemy Property authorised by the said Custodian in respect of all or any of the provisions of this Order;
- (b) "internee" means an enemy foreigner in respect of whom there is in force any order made, or deemed to have been made, under clause (g) of sub-section (2) of section 3 of the Foreigners Act, 1940;
- (c) "parole centre" means a place declared by the Central Government or any Provincial Government to be a parole centre;
- (d) "person on parole" means an enemy foreigner in respect of whom there is in force any order made, or deemed to have been made, under sub-clause (i) of clause (e) of sub-section (2) of section 3 of the Foreigners Act, 1940, restricting his residence to the limits of a parole centre.

2A. A person on parole may dispose of—

- (i) any of his moveable property other than securities or stock in trade;
- (ii) with the general or special approval of the Custodian previously obtained, any of his securities, stock in trade or immoveable property:

Provided that he shall in either case inform the Custodian of any such disposal of property within seven days thereof, giving full particulars, and shall place the proceeds thereof to his own credit in a bank approved by the Custodian.

3. An internee <sup>3</sup>[or person on parole] may, with the approval of the Custodian, execute any general or special power of attorney for the disposal of his property and conduct of his affairs.

<sup>1</sup>Substituted by notification No. 8(1)-E.T./40, dated the 21st June, 1941, for the original paragraph 2.

<sup>2</sup>Inserted by notification No. 8(1)-E.T./40, dated the 21st June, 1941.

<sup>3</sup>Inserted ~~ibid.~~

4. Any such power of attorney as aforesaid may be in favour of the Custodian or such other person in British India (hereinafter referred to as the nominee) as the internee <sup>1</sup>[or person on parole] chooses to nominate.

<sup>2</sup>4A. (1) If any such power of attorney as aforesaid is granted in favour of the Custodian, the Custodian shall be entitled to levy in respect of each transaction completed by him on behalf of the internee <sup>1</sup>[or person on parole], such fee not exceeding two per cent. of the monetary value thereof as the Custodian may consider proper.

(2) The Custodian shall be the sole judge of the monetary value of any transaction for the purposes of this paragraph.

5. A nominee <sup>1</sup>[or person on parole], if so authorised by the power of attorney which he holds, may dispose of—

- (i) any moveable property belonging to the internee <sup>1</sup>[or person on parole], other than securities or stock in trade;
- (ii) with the <sup>3</sup>[general or special approval of the Custodian previously obtained], any securities, stock in trade or immoveable property belonging to the internee <sup>1</sup>[or person on parole]:

Provided that the nominee <sup>1</sup>[or person on parole] shall <sup>4</sup>[in either case] inform the Custodian of any such disposal of property within seven days thereof, giving full particulars, and shall place the proceeds thereof to the credit of the internee <sup>1</sup>[or person on parole] in a bank approved by the Custodian.

6. Notwithstanding anything contained in rule 104 of the Defence of India Rules, any bank in British India may accept, pay money on, or otherwise deal with, a cheque drawn by, or on behalf of, an internee <sup>1</sup>[or a person on parole], if the cheque is countersigned by the Commandant of the internment camp in which the internee is for the time being detained or confined <sup>5</sup>[or, as the case may be, by the Commandant, Superintendent or other officer in charge of the parole centre in which the person on parole is for the time being residing].

*Notification No. 72(1)-Tr. (W)/39, dated the 2nd November, 1939 (published in the "Gazette of India," dated the 30th November, 1939, p. 522).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, and in supersession of the notification of the Government of India in the Commerce Department, No. 41(1)-Tr.(E.P.)/39, dated the 14th October, 1939, the Central Government is pleased to order that all enemy property in British India, moveable or immoveable, belonging to, or held by, or managed on behalf of, any enemy subject either—

- (a) as defined in sub-clause (a) of clause (1) of rule 103 of the said Rules, who is not for the time being in India, or
- (b) as defined in sub-clause (b) of the said clause, where the property is not under the control of an Indian branch of the body of persons for the time being carrying on business in India,

shall vest in the Custodian of Enemy Property for British India.

<sup>1</sup>Inserted by notification No. 8(1)E.T./40, dated the 21st June, 1941.

<sup>2</sup>Inserted by notification No. 69(8)-Tr. (W)/40, dated the 20th April, 1940.

<sup>3</sup>Substituted by notification No. 8(1)E.T./40, dated the 21st June, 1941 for the words "previous approval of the Custodian."

<sup>4</sup>Inserted *ibid*.

<sup>5</sup>Inserted *ibid*.

<sup>6</sup>Added *ibid*.



*Notification No. 49(23)-Tr. W/40, dated the 6th June, 1940 (published in the "Calcutta Gazette" of the 20th June, 1940, Pt. IA, p. 209).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that, unless otherwise directed by it in any particular case, all property in British India, moveable or immoveable belonging to, or held by, or managed on behalf of—

- (a) any person who is an enemy as defined in clause (b) of rule 97 of the said Rules, or
- (b) any body of persons which is an enemy as defined in clause (c) of rule 97 of the said Rules, where the property is not under the control of an Indian branch of that body for the time being carrying on business in India,

shall vest in the Custodian of Enemy Property for British India.

*Notification No. 49(23)-Tr. (W.)/40, dated the 25th June, 1940, (published in the "Calcutta Gazette" of the 11th July, 1940, Pt. IA, p. 244).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, and in supersession of the Notification of the Government of India in the Department of Commerce No. 49 (23)-Tr. (W)/40, dated the 14th June, 1940, the Central Government is pleased to direct that—

- (1) all property in British India, moveable or immoveable, belonging to, or held by, or managed on behalf of, any body of persons constituted or incorporated in any enemy territory as defined in sub-rule (2) of rule 2 of the said Rules and under the control of an Indian branch of that body for the time being carrying on business in India shall vest in the Custodian of Enemy Property for British India;
- (2) in respect of the property of a body of persons which has been vested as aforesaid, the said Custodian shall have power to delegate to any Branch Manager of the said body of persons all or any of the powers exercisable by him under sub-paragraph (2) of paragraph 4 of the Enemy Property (Custody and Registration) Order, 1939.

*Notification No. 184(12)-E.T.-(A)/41, dated the 8th November, 1941 (published in the "Calcutta Gazette" of the 4th December, 1941, Pt. IA, p. 606).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that all property in British India, moveable and immoveable, belonging to, or held by, or managed on behalf of, any person who became an enemy as defined in clause (b) of rule 97 of the said Rules, or any body of persons which became an enemy as defined in clause (c) of the said rule 97 on the declaration of Syria and Lebanon as enemy territories, which vests in the Custodian of Enemy Property for British India by virtue of the notification of the Government of India in the Department of Commerce No. 49(23)Tr.-(W)/40, dated the 6th June, 1940, shall cease to vest in the Custodian and shall re-vest in the said person or body of persons.

*Notification No. 120(2)-E.T.-(A)/41, dated the 8th December, 1941 (published in the "Calcutta Gazette" of the 22nd January, 1942, Pt. IA, p. 43).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all money which would but for the said Rules be payable to or for the benefit of an enemy as defined in clause (f) of rule 97 of the said Rules, shall be paid to the Custodian of Enemy Property for British India.

*Notification No. 79(9)-E.T.-(A)/42, dated the 21st February, 1942 (published in the "Calcutta Gazette" of the 12th March, 1942, Pt. IA, p. 241).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all property in British India, moveable and immoveable, belonging to, or held by, or managed on behalf of, the Nippon Club, Calcutta, being enemy property, shall vest in the Custodian of Enemy Property for British India.

*Notification No. 43(51)-E.T.-(A)/40, dated the 7th March, 1942 (published in the "Calcutta Gazette" of the 26th March, 1942, Pt. IA, p. 270).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that all property in British India, moveable or immoveable, belonging to, or held by, or managed on behalf of, the firm of Anciens Etablissements Blumenthal, Paris, and under the control of the Calcutta branch of the said firm, which vests in the Custodian of Enemy Property for British India by virtue of the notification of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 25th June, 1940, shall cease to vest in the Custodian and shall re-vest in the said firm.

*Notification No. 81(2)-E.T.-(A)/42, dated the 20th March, 1942 (published in the "Calcutta Gazette" of the 2nd April, 1942, Pt. IA, p. 298).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the provisions of the notifications of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 6th June, 1940, No. 49(23)-Tr. (W)/40, dated the 25th June, 1940, and No. 120(2)-E.T.(A)/41, dated the 8th December, 1941, and of sub-paragraph (1) of paragraph 3 of the Enemy Property (Custody and Registration) Order, 1939, shall not apply to balances or other assets in India of persons or concerns resident in Java (other than those of subjects of a State at war with His Majesty and of concerns owned or controlled by such subjects).

*Notification No. 116(18)-E.T.-(A)/41, dated the 25th April, 1942 (published in the "Calcutta Gazette" of the 14th May, 1942, Pt. IA, p. 372).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the provisions of the notifications of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 6th June, 1940, No. 49(23)-Tr. (W)/40, dated the 25th June, 1940, and No. 120(2)-E.T.(A)/41, dated the 8th December, 1941, and of

sub-paragraph (1) of paragraph 3 of the Enemy Property (Custody and Registration) Order, 1939, shall not apply to balances or other assets in India of persons or concerns resident in the Channel Islands (other than those of subjects of a State at war with His Majesty and of concerns owned or controlled by such subjects).

*Notification No. 131(5)-E.T.(A)/42, dated the 2nd May, 1942 (published in the "Calcutta Gazette" of the 14th May, 1942, Pt. I B, p. 368).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the provisions of the notifications of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 6th June, 1940, No. 49(23)-Tr. (W)/40, dated the 25th June, 1940, and No. 120(2)-E.T.(A)/41, dated the 8th December, 1941, and of sub-paragraph (1) of paragraph 3 of the Enemy Property (Custody and Registration) Order, 1939, shall not apply to balances or other assets in India of persons or concerns resident in the enemy occupied territories specified in the Schedule hereto annexed, (other than those of subjects of a State at war with His Majesty and of concerns owned or controlled by such subjects).

#### **Schedule.**

That portion of Burma under Japanese occupation.

The Andaman and Nicobar Islands.

*Notification No. 30(1)-E.T.(A)/43, dated the 25th September, 1943 (published in the "Gazette of India" of the 25th September, 1943, Pt. I, p. 1056).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all property in British India, moveable and immoveable, belonging to, or held by, or managed on behalf of, an internee or person on parole who dies in India shall on his death vest in the Custodian of Enemy Property for British India.

*Explanation.*—In the above order—

- (i) "internee" means an enemy foreigner in respect of whom there is in force any order made, or deemed to have been made, under clause (g) of sub-section (2) of section 3 of the Foreigners Act, 1940;
- ii) "person on parole" means an enemy foreigner in respect of whom there is in force any order made, or deemed to have been made, under sub-clause (i) of clause (e) of sub-section (2) of section 3 of the Foreigners Act, 1940, restricting his residence to the limits of a parole centre.

*Notification No. 83(9)-E.T.(A)/43-(2), dated the 4th March, 1944 (published in the "Gazette of India" of the 4th March, 1944, Pt. I, p. 267).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that notwithstanding anything contained in the notifications of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 6th June, 1940, and No. 49(23)-Tr. (W)/40, dated the 25th June, 1940, all property in British India moveable or immoveable, belonging to, or held by, or managed on behalf of, any body

of persons constituted or incorporated in the Kingdom of Netherlands or in the Kingdom of Belgium which has transferred its head office in accordance with Act No. 200, dated the 26th April, 1940, of the Netherlands Government or as the case may be, with the decree, dated the 2nd February, 1940, of the Belgian Government, to a place outside enemy territory shall cease to vest in the Custodian and revert in the said body of persons.

*Notification No. 76(6)-E.T.(A)/42, dated the 5th August, 1944 (published in the "Gazette of India", dated the 12th August, 1944, Pt. I, p. 1051).*

In exercise of the powers conferred by clause (a) of sub-rule (1), read with sub-rule (3A), of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the notification of the Government of India in the Department of Commerce, No. 76(6)-E.T.(A)/42, dated the 13th February, 1943, shall be cancelled.

*Notification No. 102(12)-E.T.(A)/45, dated the 18th May, 1945 (published in the "Gazette of India, Extraordinary" of the 18th May, 1945, p. 431).*

In exercise of the powers conferred by sub-rule (1) read with sub-rule (3A) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the provisions of the notifications of the Government of India in the Department of Commerce, No. 49(23)-Tr. (W)/40, dated the 6th June, 1940, No. 49(23)-Tr. (W)/40, dated the 26th June, 1940, and No. 120(2)-E.T. (A)/41, dated the 8th December, 1941, and sub-paragraph (1) of paragraph 3 of the Enemy Property (Custody and Registration) Order, 1939, shall not in respect of any transactions entered into after the date of this notification apply to—

- (a) any money which would but for the existence of a state of war become payable to or for the benefit of any person resident in or of any body of persons constituted or incorporated in France or Belgium on or after the date of this notification;
- (b) any property which on or after the date of this notification comes into the ownership of any such person or body of persons as aforesaid;
- (c) any money or property to which the provisions of the said notifications and Order referred to above would apply only because any such person or body of persons as aforesaid became resident or commenced or recommenced to carry on business in France and Belgium on or after the 25th August and 8th September, 1944, respectively.

*Notification No. 102(28)-E.T.(A)/45, dated the 8th December, 1945 (published in the "Calcutta Gazette" of the 27th December, 1945, Pt. I A, p. 352).*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the provisions of the notifications of the Government of India in the Department of Commerce No. 72(1)-Tr. (W)/39, dated the 2nd November 1939, No. 49(23)-Tr. (W)/40, dated the 6th June 1940, No. 49(23)-Tr. (W)/40, dated the 25th June 1940, and No. 120(2)-E.T. (A)/41, dated the 8th December 1941, and sub-paragraph (1) of paragraph 3 of the Enemy Property

(Custody and Registration) Order, 1939, shall not, in respect of any transactions entered into on or after the 3rd November 1945 under an authority given generally or specially by the Central Government, apply to:

- (a) any money which would but for the existence of a state of war become payable on or after the third day of November 1945 to or for the benefit of any person resident in or of any body of persons constituted or incorporated in Finland or Italy;
- (b) any property which on or after the third day of November 1945 comes into the ownership of any such person or body of persons as aforesaid;
- (c) any money or property to which the provisions of the said notifications and Order would apply only because any such person or body of persons as aforesaid became resident or commenced or recommenced to carry on business in Finland or Italy on or after the 20th August 1945 and the 5th September 1945, respectively.

2. For the purposes of this notification, the expression "Finland" means the whole of the territory for the time being under the sovereignty of the Finnish State and the expression "Italy" means the Italian mainland, Sicily and Sardinia; with the islands adjacent thereto.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XVI—Miscellaneous Provisions—The Rules and Orders made by the Central Government and the Bengal Government under rules 115-120B of the Defence of India Rules.

The Rules and Orders issued by the Provincial Government of Bengal under rules 115-120B of the Defence of India Rules.

*Notification No. 217A.R.P., dated the 20th January, 1942 (published in the "Calcutta Gazette" of the 22nd January, 1942, Pt. I, p. 180).*

In exercise of the powers conferred by rule 116 of the Defence of India Rules the Governor is pleased to make the following order, namely:—

#### Order.

In case of the death of a person in Bengal as a result of a hostile air raid it shall be the duty of any of his nearest relatives who may be present at the time of the death, and in default of such relatives, of each person present at the time of the death, and of the occupier of the premises in which, to the knowledge of such occupier the death took place, and in default of the persons hereinbefore mentioned, of each inmate of such premises to report the death to the nearest police-station within twelve hours of such a death.

If any person fails to furnish any information in compliance with this order, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

*Notification No. 415F.G., dated the 19th January, 1944 (published in the "Calcutta Gazette, Extraordinary" of the 20th January, 1944, p. 12).*

In exercise of the power conferred by rule 116 of the Defence of India Rules, the Governor is pleased to direct that every licensee holding a licence under the Foodgrains Control Order, 1942, shall, within three days from the rationing date, submit to the Licensing Authority his licence together with a return of every foodgrain notified to be a rationed article under clause (2) of paragraph 2 of the Bengal Rationing Order, 1943, which he may have in his stock on the rationing date in any rationed area.

The expressions "rationing date" and "rationed area" have the same meanings as in the Bengal Rationing Order, 1943.



# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XVII—Supplementary and Procedural—The Rules and Orders made by the Central Government and the Bengal Government under rules 121-133 of the Defence of India Rules.

- (1) The Rules and Orders made by the Central Government under rules 121-133 of the Defence of India Rules.

*Notification No. 1763, dated the 25th November, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. IA, p. 985).*

With reference to sub-rule (1) of rule 129 of the Defence of India Rules, the Central Government hereby empowers all officers and members of the "Security Corps", including the staffs of Advanced Camps, Interrogation Centres, and the escorts working under them, to arrest without warrant any person under the said sub-rule.

*Notification No. 5-D.C.(3)/1/43, dated the 11th January, 1943 (published in the "Calcutta Gazette" of the 28th January, 1943, Pt. I A).*

In pursuance of sub-rule (1) of rule 130 of the Defence of India Rules, the Central Government is pleased to specify clauses (a), (b), (c), (d) and (e) of sub-rule (2) of rule 90 of the said Rules for purposes of the said sub-rule.

*Notification No. 5-D.C.(48)/43-I., dated the 4th March, 1944 (published in the "Calcutta Gazette" of the 16th March, 1944, Pt. IA, p. 97).*

In pursuance of sub-rule (4) of rule 130 of the Defence of India Rules, the Central Government is pleased to specify all orders which have been or may hereafter be made under sub-rule (2) of rule 81 of the said Rules, for purposes of the said sub-rule (4).

*Notification No. 5-D.C.(61)/44, dated the 6th May, 1944 (published in the "Calcutta Gazette" of the 18th May, 1944, Pt. IA, p. 147).*

In pursuance of sub-rule (4) of rule 130 of the Defence of India Rules, the Central Government is pleased to specify rule 81D of the said Rules and all orders made thereunder for purposes of the said sub-rule (4).

---

<sup>1</sup>Substituted by notification No. 5-D.C. (3)-4/43, dated the 13th September, 1943.



*Notification No. 5-D.O.(61)/44, dated the 7th October, 1944 (published in the "Gazette of India" of the 14th October, 1944, Pt. I, p. 1335).*

In pursuance of sub-rule (4) of rule 130 of the Defence of India Rules, the Central Government is pleased to specify for the purposes of the said sub-rule clause (a) of sub-rule (1) of rule 38 read with sub-clause (h) of clause (6) of rule 34 when the prejudicial act in question is an act which is intended or is likely to impede, delay or restrict the supply or distribution of any article of food.

*Notification No. 542-OR/40, dated the 13th September, 1941 (published in the "Calcutta Gazette" of the 2nd October, 1941, Pt. IA, p. 512).*

In pursuance of clause (b) of rule 130A of the Defence of India Rules, the Central Government is pleased to specify rule 38 of the said Rules for the purposes of the said clause.

*Notification No. 542-OR/40, dated the 13th December, 1941 (published in the "Calcutta Gazette" of the 15th January, 1942, Pt. IA, p. 32).*

In pursuance of clause (b) of rule 130A of the Defence of India Rules, the Central Government is pleased to specify rules 8A, 10, 13, 15, 19, 21, 23, 24, 26, 35, 36, 37, 46, 47, 48 and 61 of the said Rules for the purposes of the said clause.

# THE DEFENCE LEGISLATION MANUAL (BENGAL)

## Part II—The Rules and Orders made under the Defence of India Rules.

### Chapter XVII—Supplementary and Procedural—The Rules and Orders made by the Central Government and the Bengal Government under rules 121-133 of the Defence of India Rules.

#### (2) The Rules and Orders issued by the Provincial Government of Bengal under rules 121-133 of the Defence of India Rules.

*Notification No. 4774P., dated the 5th September, 1939, (published in the "Calcutta Gazette, Extraordinary" of the 6th September, 1939).*

In exercise of the power conferred by sub-rule (1) of rule 126 of the Defence of India Rules, made under section 2 of the Defence of India Ordinance, 1939 (Ordinance V of 1939), the Governor is pleased to direct that the following persons are hereby empowered to exercise within their respective jurisdictions, the powers referred to in clauses (a) and (b) of the said sub-rule, namely—

- (1) The Commissioner of Police, Calcutta.
- (2) All Police Officers holding the rank of Deputy Commissioners of Police.
- (3) All Police Officers of or above the rank of Superintendent of Police.
- (4) All District Magistrates and Deputy Commissioners of districts.

*Notification No. 1P., dated the 2nd January, 1940 (published in the "Calcutta Gazette" of the 11th January, 1940, Pt. I, p. 35).*

#### Order.

In exercise of the power conferred by clause (b) of sub-rule (1) of rule 126 of the Defence of India Rules, published by notification No. 221/1-O.R., dated the 3rd September 1939, in the *Gazette of India Extraordinary*, dated the 3rd September 1939, the Governor is hereby pleased to empower the following persons to exercise within their respective jurisdictions the powers referred to in the said clause with regard to the search of any place and the seizure of anything which any such person has reason to believe has been, is being or is about to be, used for any purpose prejudicial to the public interest, namely :—

- (1) The Controller of Prices.
- (2) The Assistant Controllers of Prices.

*Notification No. 91, dated the 23rd May, 1940 (published in the "Calcutta Gazette" of the 30th May, 1940, Pt. I, p. 1601).*

In exercise of the power conferred by sub-rule (1) of rule 126 of the Defence of India Rules, the Governor is pleased hereby to empower the Deputy Commissioner, Chittagong Hill-tracts, to exercise, within the said Hill-tracts, the powers referred to in clauses (a) and (b) of the said sub-rule.

## The Schedule.

1	2	3
Province.	Designation of authority.	Clause or sub-clause of the Order.
1. Madras	.. Commissioner of Civil Supplies, Madras.	5, 6(2)(a), 7(1)(ii) and 8(1).
2. Bombay	.. Director of Civil Supplies, Bombay	5, 6(2)(a), 7(1)(ii) and 8(1).
3. Bengal	.. Chief Controller of Prices, Bengal ..	5, 6(2)(a), 7(1)(ii) and 8(1).
4. The United Provinces	Chairman of the Sugar Commission, United Provinces and Bihar.	5, 6(2)(a), 7(1)(ii) and 8(1).
5. The Punjab	.. Price Controller, Punjab ..	5, 6(2)(a), 7(1)(ii) and 8(1).
6. Bihar	.. Chief Controller of Prices and Supplies, Bihar.	5, 6(2)(a), 7(1)(ii) and 8(1).
7. The Central Provinces and Berar.	Chief Price and Supply Control Officer, Central Provinces and Berar.	5, 6(2)(a) and 8(1).
8. Assam	.. Director of Supplies, Assam ..	5, 6(2)(a) and 8(1).
9. The North-West Frontier Province.	Chief Price Controller, North-West Frontier Province.	5, 6(2)(a) and 8(1).
10. Orissa	.. Price Control Officer, Orissa ..	5, 6(2)(a), 7(1)(ii) and 8(1).
11. Sind	.. Director of Civil Supplies and Chief Controller of Prices, Sind.	5, 6(2)(a) and 8(1).
12. British Baluchistan	.. Director of Civil Supplies, Baluchistan.	5 and 6(2)(a).
13. Delhi	Deputy Commissioner, Delhi ..	5 and 6(2)(a).
14. Ajmer-Merwara	Commissioner, Ajmer-Merwara ..	5 and 6(2)(a).
15. Coorg	Chief Commissioner, Coorg ..	5 and 6(2)(a).
16. Panth Piploda	Chief Commissioner, Panth Piploda	5 and 6(2)(a).

*Notification No. P. & S.C.-225/42, dated the 28th November, 1942 (published in the "Calcutta Gazette" of the 24th December, 1942, Pt. I A, p. 995).*

In exercise of the powers conferred upon me by sub-clause (I) of clause 6 of the Sugar Control Order, 1942, and in supersession of the notifications of the Government of India in the Department of Commerce, No. Econ. Ad(P.C.)-225/42(IV)-(A), dated the 5th May, 1942, No. 11-S.C.-(2)/42, dated the 20th June 1942, and No. 18-S.C.(8)/42, dated the 12th September 1942, I, N. C. Mehta, Sugar Controller for India, fix the prices of sugars made in India as follows with effect from the date of this notification :—

1. Price per maund of crystal sugar, for sale *ex-factory*, according to grade, shall be as given in the table below :—

—		19	20	21	22	23
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
AAA	.. ..	.. ..	.. ..	.. ..	.. ..	12 3 6
AA	.. ..	.. ..	.. ..	.. ..	.. ..	12 1 6
A	.. ..	.. ..	11 9 0	11 11 6	11 13 6	11 15 6
B	.. ..	.. ..	11 6 6	11 9 0	11 11 0	11 13 0
C	.. ..	.. ..	11 4 6	11 7 0	11 9 0	11 11 0
D	.. ..	10 15 0	11 3 0	11 5 6	11 7 6	11 9 6
E	.. ..	10 13 6	11 1 6	11 4 0	11 6 0	11 8 0
F	.. ..	10 12 6	11 0 6	11 3 0	11 5 0	11 7 0
G	.. ..	10 11 6	10 15 6	11 2 0	11 4 0	11 6 0

—			24	25	26	27	28
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
AAA	..	..	12 5 0	12 7 0	12 8 6	12 10 6	12 12 0
AA	..	..	12 3 0	12 5 0	12 6 6	12 8 6	12 10 0
A	..	..	12 1 0	12 3 0	12 4 6	12 6 6	12 8 0
B	..	..	11 14 6	12 0 6	12 2 0	12 4 0	12 5 6
C	..	..	11 12 6	11 14 6	12 0 0	12 2 0	12 3 6
D	..	..	11 11 0	11 12 6	11 14 6	12 0 6	12 2 0
E	..	..	11 9 6	11 11 6	11 13 0	11 15 0	12 0 6
F	..	..	11 8 6	11 10 6	11 12 0	11 14 0	11 15 6
G	..	..	11 7 6	11 9 6	11 11 0	11 13 0	11 14 6

2. Price per maund of crushed sugar, for sale ex-factory, according to grade, shall be as given below:—

Grade.			Price per maund.		
			Rs.	a.	p.
13	..	..	..	..	12 0 0
12	..	..	..	..	11 13 0
11	..	..	..	..	11 11 0
10	..	..	..	..	11 9 0
9	..	..	..	..	11 6 0
8	..	..	..	..	11 3 0

3. Price per maund of refined sugar, for sale ex-factory, according to grade, shall be as given in the table below:—

Grain Size.			Above 28.		
			Rs.	a.	p.
AAA	..	..	..	..	13 8 0
AA	..	..	..	..	13 6 0
A	..	..	..	..	13 4 0
B	..	..	..	..	13 2 0
C	..	..	..	..	13 0 0
D	..	..	..	..	12 14 0
E	..	..	..	..	12 12 0
F	..	..	..	..	12 10 0
G	..	..	..	..	12 8 0

4. Price, for sale ex-factory, of sugar made from cane gur or palmyra jaggery may exceed the price, as fixed above, of the same grade of cane sugar by not more than 6 annas per maund.

5. Price per seer, for retail sale, of the undermentioned types of sugar, shall not exceed the maximum prices given below:—

Type of Sugar.	Maximum retail price per seer.
(i) Sugar Candy ( <i>Mieri</i> or <i>Sakar</i> )	7 annas.
(ii) <i>Bura</i> .. ..	6 annas.
(iii) <i>Khandsari</i> Sugar ..	5 annas 6 pies.

6. The prices fixed above shall not apply to sugars of the names and specifications given below :—

<i>Name.</i>	<i>Specification.</i>
Demerara Crystal Sugar ..	Grain size, between D and B of Indian Sugar Standards. Colour, much darker than Indian Sugar Standard No. 19. Consistency, moist. Flavour, characteristic flavour of caramel.
Cube Sugar ..	Fine grained white sugar (grain Indian Sugar Standard No. G and colour, Indian Sugar Standard No. 28 or higher), moulded in the form of cubes or rectangles.
Cone Sugar ..	Fine grained white sugar (grain Indian Sugar Standard No. G and colour, Indian Sugar Standard No. 28 or higher), moulded in the form of cones.
Coffee Crystals ..	White sugar consisting of large uniform sized crystals which are retained on a 3 meshes per inch sieve. Colour, not lower than Indian Sugar Standard No. 25.
Icing Sugar ..	White sugar in admixture with starch, in the form of an extremely fine powder, passing through a 200 mesh sieve, having whiteness superior to Indian Sugar Standard No. 13.

7. In this notification—

- (a) prices fixed are inclusive of the excise duty;
- (b) the term “price for sale ex-factory” means the price of sugar packed in accordance with the usual market practice and loaded at the buyer’s option on buyer’s carts or lorries or into railway wagons at the railway station or siding generally used by the producer, all incidental charges including those for siding and forwarding being on account of the producers;
- (c) “Refined Sugar” means sugar manufactured by re-melting ordinary sugar in water, and by suitably treating and filtering the solution and recovering sugar therefrom after boiling in vacuum pans, the resulting sugar having colour above Indian Sugar Standard No. 28, and being sufficiently pure to satisfy the following test, namely:

The specific conductivity determined at 35°C and multiplied by 10<sup>6</sup> of a solution prepared by dissolving 5 grams of the sugar in conductivity water and making up to 100 c.cs., should not exceed 15, after deducting the value for the specific conductivity, at the same temperature and multiplied by 10<sup>6</sup>, of the conductivity water used;

- (d) “sugar candy (*misri* or *sakar*)” means sugar in the form of crystals, either separate or in clusters, obtained by recrystallisation from ordinary white sugar;
- (e) “*bura*” means amorphous sugar produced by reboiling, without the use of vacuum pans or evaporators, a solution of any form of sugar;
- (f) “*khandsari* sugar” means sugar produced from sugarcane juice, *rab* or jaggery without the use of vacuum pans or evaporators;
- (g) “retail sale” means sale in quantities of less than a bag (usually of two and a half maunds or more);
- (h) a maund is 82.2/7 lbs. avoirdupois, and a seer is one-fortieth part of a maund.

*Notification No. 22-SC(3)/43, dated the 14th September, 1943 (published in the "Gazette of India" of the 18th September, 1943, Pt. I, p. 1024).*

In exercise of the powers conferred upon me by sub-clause (1) of clause 6 of the Sugar and Sugar Products Control Order, 1943, and in supersession of clause (iii) of paragraph 4 of the Notification of the Government of India in the Department of Food, No. GVIII(1)/42, dated the 1st January, 1943, I, N. C. Mehta, Sugar Controller for India, hereby direct:—

(1) that the price at which *Khandsari* sugar may be sold wholesale within the districts of the United Provinces specified in the annexed schedule shall not exceed Rs. 14-4-0 per maund;

(2) that wholesale and retail prices of *Khandsari* sugar in other places in India shall not exceed Rs. 14-4-0 per maund, *plus* such other charges in respect of transport to or in specified areas and other incidental charges as are approved by me.

*Explanation.*—For the purpose of this Notification "wholesale price" means the price of sugar inclusive of excise duty packed in bags of not less than two and half maunds in weight.

#### Schedule.

- |                 |                    |
|-----------------|--------------------|
| 1. Azamgarh.    | 11. Hardoi.        |
| 2. Ballia.      | 12. Jaunpur.       |
| 3. Bareilly.    | 13. Kheri.         |
| 4. Basti.       | 14. Mainpuri.      |
| 5. Bijnor.      | 15. Meerut.        |
| 6. Budaun.      | 16. Moradabad.     |
| 7. Etah.        | 17. Muzaffarnagar. |
| 8. Farrukhabad. | 18. Pilibhit.      |
| 9. Ghazipur.    | 19. Saharanpore.   |
| 10. Gorakhpur.  | 20. Shahjahanpore. |
|                 | 21. Sitapore.      |

*Notification No. 35-S.C.(1)/45, dated the 29th June, 1945 (published in the "Gazette of India" of the 7th July, 1945, Pt. I, p. 873).*

In pursuance of sub-clause (1) of clause 8 of the Sugar and Sugar Products Control Order, 1943, and in supersession of the Sugar Controller's notification No. 35-SC(1)/43, dated the 29th May, 1943, I hereby issue the following general permit.—

Subject to the provisions of any local or provincial orders regulating transport of sugar, sugar may be transported without a special permit from the Sugar Controller for India, whether by rail, road or water, from any place in a province specified in the first column of the schedule hereto annexed to any place in the area specified against that province in the second column of the said schedule.

#### Schedule.

Province.	Area.
1. Madras	.. Madras, Coorg, Pudukotta and the French Settlements of Pondicherry, Karikal and Mahe.
2. Bombay	.. Bombay, the Gujarat States, the Deccan States, the States of Idar, Radhanpur and Vijayanagar and the Portuguese Settlements in India.

Province.	Area.
3. Bengal	.. Bengal, the States of Tripura and Cooch Behar and the French Settlement of Chandernagore.
4. The United Provinces	The United Provinces and the States of Rampur, Benares and Tehri-Garhwal.
5. The Punjab	.. The Punjab and Punjab States, excluding Tehri-Garhwal and Khairpur.
6. Bihar	.. Bihar.
7. The Central Provinces and Berar.	The Central Provinces and Berar and the Chhattisgarh States.
8. Assam	.. Assam and Assam States.
9. North-West Frontier Province.	The North-West Frontier Province and the States of Dir, Swat and Chitral.
10. Orissa	.. Orissa and the Eastern States excluding the States specified above against items 3 and 7.
11. Sind	.. Sind and Khairpur State.
12. British Baluchistan	.. British Baluchistan and the States of Kalat and Las Bela.
13. Delhi	.. Delhi.
14. Ajmer-Merwara	.. Ajmer-Merwara.

(viii) *Jute.*

*Notification No. SS/226, dated the 24th September, 1945 (published in the "Calcutta Gazette" of the 20th December, 1945, Pt. 1A, p. 338).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules, that notice of the order shall be given by the publication of the same in the *Gazette of India* and by issue of a Press Note indicating the nature of its provisions.

1. (1) This Order may be called the Jute Industry Essential Stores Control Order, 1945.

(2) It shall come into force at once.

(3) Jute Industry Essential Stores Control Order, 1943, is hereby repealed; provided that any thing done under any of the provisions of that Order shall be deemed to have been done under the corresponding provisions of this Order,

2. This Order applies to the following articles of essential stores for the jute industry:—

(1) Bobbin and Bobbin Ends.

(2) Planetree Rollers.

(3) Shuttles and Shuttle parts.

(4) Gill Pins.

(5) Gill Rivets.

(6) Swells.

(7) Swell Springs.

(8) Lay Box Backs.

(9) Spool Centres.

(10) Jute Cutting Knives.

(11) Spiral Sewing Machine Needles.

(12) Martingale Strapping.

- (13) Camp Straps.
- (14) Picking Straps and Tuggers.
- (15) Pickers.
- (16) Cotton Listing.
- (17) Cotton Twine for Listing Sewing.
- (18) Cork Covers.
- (19) Silver Cans.
- (20) Plaiding Cloth.
- (21) Card Pins.

3. No person shall sell, or otherwise dispose of, or purchase or otherwise acquire any article to which this Order applies, except—

(a) under and in accordance with the terms of a licence, in the form appended to this Order, granted by the Controller of Supplies, Bengal Circle, Calcutta, Deputy Controller of Supplies, Bengal Circle, Calcutta, or any officer officiating in either of this capacity, or such other Officer as may be appointed in this behalf by the Central Government; or

(b) in pursuance of a direction given under clause 5 of this Order.

4. All persons desiring to purchase or otherwise acquire any article to which this Order applies, may apply in triplicate in the form appended to this Order to the Controller of Supplies, Bengal Circle, Calcutta.

5. Any person, on being directed by the Controller of Supplies, Bengal Circle, Calcutta, Deputy Controller of Supplies, Bengal Circle, Calcutta, or any officer officiating in either of this capacity, or any officer appointed in this behalf by the Central Government, to sell or otherwise dispose of any article to which this Order applies, to a particular person, shall comply with such direction.

6. Any person, on being required so to do by the Controller of Supplies, Bengal Circle, Calcutta, Deputy Controller of Supplies, Bengal Circle, Calcutta, or any officer officiating in either of this capacity or such other officer as may be appointed in this behalf by the Central Government, shall submit a return in such form as the Controller, Deputy Controller or that other officer may prescribe giving details of articles to which Order applies in his stock or on order.

7. The Controller of Supplies, Bengal Circle, Calcutta, Deputy Controller of Supplies, Bengal Circle, Calcutta, or any officer officiating in either of this capacity or such other officer as may be appointed in this behalf by the Central Government, may, if he has reason to believe that any person has contravened, is contravening, or is likely to contravene, any of the provisions of this Order—

(a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand,

(b) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person.

(c) enter and search, or authorise a police officer not below the rank of Sub-Inspector to enter and search, any premises.

8. If any person with intent to evade the provisions of this Order refuses to give any information lawfully demanded from him under paragraph 7 or conceals, destroys, mutilates or defaces any book or other document, he shall be deemed to have contravened the provisions of this Order.



9. Forfeiture of Stores.—If any person contravenes the provisions of this Order, any court trying such contravention, may, in addition to any punishment to which it may sentence him, direct that the article/s in respect of which the contravention has been committed shall be forfeited to His Majesty.

**PART 1.—FORM OF APPLICATION FROM AND LICENCE TO A JUTE MILL FOR PERMISSION TO PURCHASE OR OTHERWISE ACQUIRE ANY OF THE JUTE INDUSTRY'S ESSENTIAL STORES LISTED OVERLEAF.**

(To be sent in triplicate to the Controller of Supplies, Bengal Circle, Royal Exchange, Calcutta, together with three copies of the orders on the supplying firm for the stores required.)

Name and address of Mill or Factory for which stores are required:—

We hereby certify that the particulars given overleaf are correct and that the stores, if released, will be used in the Mill named above, and sold or otherwise disposed of.

*Signature of Mill Manager.*

*Date*.....

*Signature of Managing Agent (if any).*

*Date*.....

**PART 2.—FOR THE USE OF SUPPLY DEVELOPMENT.**

Licence No..... Date.....

Item.	Quantity.	Sale price.

I hereby sanction the sale of the quantities of stores shown above.

*Controller of Supplies,  
Bengal Circle, Calcutta.*

*Date*.....

## PART 3.—LIST OF JUTE INDUSTRY'S ESSENTIAL STORES.

Item.	Units.	Quantity applied for in terms of units in previous column. (Three copies of actual order placed showing the price to be charged must be attached.)	Present stock at mill and what it represents in monthly consumption (based on 54-hour week).
1	2	3	4
Bobbin & Bobbin Ends	.. Gross	..	
Planetree Rollers	.. "	..	
Shuttles	.. Pce	..	
Planetree Box End Springs and Drag Springs.	Pce	..	
„ Tips & Covers	.. Gross	..	
Gill Pins	.. 1,000	..	
Gill Rivets	.. Gross	..	
Swells	.. Pce	..	
Swell Springs	.. Gross	..	
Lay Box Backs	.. "	..	
Spool Centres	.. "	..	
Jute Cutting Knives	.. Pce	..	
Spiral Sewing Machine Needles	.. Pce	..	
Martingale Strapping	.. lbs.	..	
Camb Straps	.. lbs.	..	
Picking Straps & Tuggers	.. lbs.	..	
Pickers	.. Pce	..	
Cotton Listing	.. Gross, Yds.	..	
Cotton Twine for Listing Sewing	.. lbs.	..	
Cork Covers	.. Pce	..	
Silver Cans	.. Pce	..	
Plaiding Cloth	.. Yds.	..	
Card Pins	.. 1,000	..	

*Notification No. SS/226, dated the 22nd March, 1945 (published in the "Gazette of India" of the 24th March, 1945, Pt. I, p. 356).*

In exercise of the powers conferred by clause 3 of the Jute Industry Essential Stores Control Order, 1943, the Central Government is pleased to authorise the Deputy Controller of Supplies, Bengal Circle, Calcutta, or any officer officiating in this capacity to exercise all the powers exercisable by the Controller of Supplies, Bengal Circle, Calcutta, under clauses 5, 6 and 7 of the said Order.

*Notification No. 57-C(1)/45-D., dated the 6th October, 1945 (published in the "Calcutta Gazette" of the 1st November, 1945, Pt. IA, p. 311).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules the Central Government is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the

said Rules that notice of the Order shall be given by the publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

1. (i) The Order may be called the Jute (Price Control) Order, 1945.
- (ii) It extends to the whole of British India.
- (iii) It shall come into force at once.
- (iv) The Jute (Price Control) Order, 1944, is hereby repealed:

Provided that anything done under any provision of the Jute (Price Control) Order, 1944, shall be deemed to have been done under the corresponding provision of this Order; and

Provided further that any reference in any order issued under the Defence of India Rules or in any notification issued thereunder to any provision of the Jute (Price Control) Order, 1944, shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Order.

2. In this Order "export" means to take out of British India by land, sea or air to any place outside India.

3. No person shall sell or offer to sell, whether for export or otherwise, and no person shall buy or offer to buy, whether for export or otherwise, raw jute of any quality specified in the First Schedule to this Order at more than the maximum price, or less than the minimum price specified therein for raw jute of that quality.

4. No person shall sell or offer to sell, and no person shall buy or offer to buy, any manufactured jute goods of the description given in the Second Schedule to this Order at more than the maximum price determined as follows:—

- (i) Where the goods are sold for export, whether by the manufacturer or by any other person the maximum price shall be the price (hereinafter referred to as the "export price") determined in accordance with the Second Schedule to this Order.
- (ii) Where the goods are sold by the manufacturer thereof, the maximum price shall be the export price.
- (iii) Where the goods are sold wholesale otherwise than for export and by a person other than the manufacturer, the maximum price shall be the export price *plus* two and a half per cent. thereof *plus* such transport and other incidental charges, including octroi, as a wholesale dealer in the locality would normally have incurred in obtaining the goods from the manufacturer.
- (iv) Where the goods are sold retail, the maximum price shall be the maximum price for wholesale transactions in that locality determined under the preceding sub-clause, increased by two and a half per cent.

5. All consignment of manufactured jute goods intended for export shall be supplied in bales bound with iron hoops and all consignments of such goods not intended for export shall be supplied in bales bound with rope.

6. Any person exporting raw jute shall, at the time of presenting the relative shipping bill, make before the Collector of Customs a declaration that the price, at which the raw jute to be exported has been sold, is not less than the minimum price determined in accordance with the provisions of the First Schedule to this Order (including Note 5 thereof).

7. Every seller of manufactured jute goods shall, if so required by a purchaser thereof, give him a duly authenticated cash memo. specifying the

quality, quantity and price of the goods sold, and, where the transaction is of the nature described in sub-clause (iii) of clause 4, indicating separately in respect of each item the export price, the profit margin added thereto and the normal transport and other incidental charges which go to make up the net price charged.

8. No person shall, as a condition of his selling or offering for sale any type of manufactured jute goods, require the buyer to buy at the same time any quantity of any other type of manufactured jute goods.

### **The First Schedule.**

(See clause 3.)

*Maximum and minimum prices for Raw Jute.*

[Not printed here.]

### **The Second Schedule.**

(See clause 4.)

*Maximum prices of manufactured jute goods sold for export.*

[Not printed here.]

(ix) *Motor spirit.*

*Notification No. 1215, dated the 11th July, 1942 (published in the "Calcutta Gazette" of the 28th January, 1943, Pt. 1A, p. 17).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Coloured Motor Spirit Control Order, 1942.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order,—

(i) "Motor spirit" means any liquid hydrocarbon or admixture of liquid hydrocarbon with any other liquid, having a flashing point (as defined in section 2 of the Petroleum Act, 1934) below 76 degrees Fahrenheit and capable of providing motive power to any form of internal combustion engine,

(ii) "coloured motor spirit" means motor spirit which is coloured red, blue or green, or any other colour that may be notified in this behalf by the Central Government.

3. No person shall produce, buy, sell, store, or transport coloured motor spirit save in accordance with the conditions of a written permit issued to him in this behalf by any of the undermentioned authorities:—

Director of Civil Aviation in India (in respect of aviation spirit required for use in civil aircraft).

General Officers Commanding-in-Chief, Armies and Central Command.  
Corps Commanders.

District Commanders.

Divisional Commanders.

Area Commanders.

Brigade Commanders.

Fortress Commanders.

4. No person shall use, or have in his possession, any coloured motor spirit unless such use or possession—

- (i) is by, or of, a member of His Majesty's or allied forces or other servant of the Crown, in the course of his duty as such member or servant, or
- (ii) is for the purpose of any production, storage or transport permitted under clause 3, or
- (iii) is specially authorised by any of the authorities mentioned in clause 3.

5. Nothing in this Order shall apply in relation to the storage, transport or use of coloured motor spirit in any vehicle or aircraft belonging to the Defence Department of the Government of India.

6. In any case in which a contravention of this Order has been committed, any Court exercising original, appellate or revisional jurisdiction in the case may, without prejudice to any punishment that may be imposed under sub-rule (4) of rule 81 of the Defence of India Rules, direct that the motor spirit in respect of which the offence has been committed shall, together with the receptacles in which it is contained, be confiscated and placed at the disposal of the Defence Department of the Government of India.

*Notification No. P.R.8/41, dated the 1st August, 1941 (published in the "Gazette of India, Extraordinary" of the 1st August, 1941).*

In exercise of the powers conferred by Rule 81 of the Defence of India Rules, 1939, the Central Government is pleased to make the following order:—

### MOTOR SPIRIT RATIONING ORDER, 1941.

1. *Short title.*—(i) This order may be called the Motor Spirit Rationing Order, 1941.

(ii) It extends to the whole of British India.

(iii) It shall come into force on the fifteenth day of August, 1941, except clauses 2, 8, 9, 10, 11, 12, 15, 16, 17, 20 and 21 and the first and second schedules which shall come into force at once.

2. *Interpretation.*—In this order, unless there is anything repugnant in the subject or context,—

(a) "Area Rationing Authority" means an Area Rationing Authority appointed under clause 21;

(b) "clause" means a clause of this Order;

(c) "coupon" means a coupon issued by an Area Rationing Authority authorising the supply of a unit or fraction of a unit or number of units of motor spirit, and "special coupon", "ordinary coupon" and "supplementary coupon" means respectively, a coupon which is so described in clause 9;

(d) "dealer" means a supplier carrying on the business of supplying motor spirit as retail business, and includes a person having charge of a supply of motor spirit controlled by Government from which any person is furnished with motor spirit for private use;

(e) "licence" means a licence granted by the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, authorising the supply of motor spirit under clause 6;

- (f) "motor spirit" means any liquid hydro-carbon or admixture of liquid hydro-carbon with any other liquid, having a flash point below 76°F and capable of providing motive power to any form of internal combustion engine;
- (g) "motor vehicle" means any mechanically propelled vehicle constructed or adapted for use on roads;
- (h) "producer" means a person who produces motor spirit; and includes a person who by mixing motor spirit (whether produced by himself or not) with power alcohol or other substance not included in the definition of motor spirit produces a mixture which itself falls within the definition of motor spirit;
- (i) "Provincial Rationing Authority" means the Provincial Rationing Authority appointed under clause 20;
- (j) "quarter" means a period of three months ending on 31st January, 30th April, 31st July or 31st October;
- (k) "receipt" means the receipt referred to in clause 6 which the holder of a licence is required to surrender when supplied with motor spirit by a supplier or dealer;
- (l) "special receipt" means the special receipt issued under clause 8 for use in acquiring motor spirit under clause 3;
- (m) "supplier" means a person carrying on the business of supplying motor spirit;
- (n) "unit" means one gallon of motor spirit, or such other quantity of motor spirit as the Central Government may by notification in the official Gazette from time to time direct;
- (o) a coupon is said to be "valid" when it authorises the supply at the time at which such supply is furnished of a quantity of motor spirit not less than the quantity supplied and except in the case of special coupons has upon it or attached to it with the authority of the Area Rationing Authority a number or description applicable to the vehicle or class of vehicles to which the supply is furnished;
- (p) "vehicle" means a motor vehicle or a motor boat.

*Methods of obtaining Supplies of Motor Spirit.*

3. *Supply of motor spirit for defence and internal security purposes.*—Motor spirit required for aircraft, vehicles or machinery employed by the Central or a Provincial Government in or in the maintenance of His Majesty's Forces or for defence or internal security purposes, or required by railway administrations for purposes other than the supply to the public of facilities for the carriage of goods or passengers, when not obtained from stocks under the direct control of the Government concerned, shall be furnished or acquired only against the surrender to a supplier at the time of supply of special receipts.

4. *Supply of motor spirit for administrative purposes.*—Motor spirit required for—

- (a) vehicles not covered by clause 3 employed by the Central or a Provincial Government for any administrative purpose other than public transport,
- (b) vehicles employed by local authorities for any administrative purpose other than public transport.

- (c) vehicles used as ambulances, travelling dispensaries or school buses, shall be furnished or acquired only against the surrender to a supplier at the time of supply of valid special coupons or of valid supplementary coupons, and only in accordance with any conditions or instructions appearing on or attached to such coupons.

5. *Supply of motor spirit for vehicles not covered by clauses 3 and 4.*—Motor spirit required for any vehicle not covered by clause 3 or clause 4 shall be furnished or acquired only against the surrender to a supplier at the time of supply of valid ordinary coupons or of valid supplementary coupons, and only in accordance with any conditions or instructions appearing on or attached to such coupons.

6. *Supply of motor spirit for purposes not covered by clauses 3, 4 and 5.*—Motor spirit required for any purpose not covered by clause 3, clause 4 or clause 5 shall be furnished or acquired only under the authority of and in accordance with the conditions contained in or attached to a licence in Form F as set out in the First Schedule, and only against the surrender to a supplier at the time of supply of a receipt in Form B, as set out in the First Schedule for the quantity supplied.

7. *Coupons and licences effective throughout British India.*—Unless it is otherwise provided by a condition or instruction appearing on or attached to a coupon or contained in or attached to a licence, a coupon or licence wherever issued may be used anywhere within British India.

*Special Receipts, Coupons and Licences for the Supply of Motor Spirit.*

8. *Issue of special receipts.*—(1) The Central or a Provincial Government, or any authority authorised in this behalf by the Central or a Provincial Government, may issue to such persons and for such purposes as it thinks fit special receipts in Form A as set out in the First Schedule for use in acquiring supplies of motor spirit under clause 3.

<sup>1</sup>(2) The Central or Provincial Government may authorise the issue of special receipts in place of any coupons or class of coupons referred to in clause 9 to such persons and in such circumstances as may be specified, and any special receipts so issued shall be as valid as coupons for the purposes of this Order.

9. *Classes of coupons and particulars attached thereto.*—(1) There shall be three classes of coupons, special, ordinary and supplementary.

(2) A special coupon shall have attached to it the name of the person to whom it is issued and shall be valid only to authorise the supply of motor spirit to or on behalf of that person.

(3) An ordinary coupon shall have attached to it the name of the person to whom it is issued and the registration or other identifying mark of the vehicle in respect of which it is issued or, where issued in respect of a service of stage carriages covered by a permit issued under section 48 of the Motor Vehicles Act, 1939, the number of that permit; and the coupon shall, save as provided in clause 13 or in sub-clause (d) of clause 26, be valid only to authorise the supply of motor spirit to or on behalf of that person and in respect of that vehicle or a vehicle included in the service of stage carriages covered by that permit.

(4) A supplementary coupon authorising the supply to a person of motor spirit in excess of the quantity covered by special coupons or ordinary coupons already issued to him shall have attached to it the same particulars and shall be valid only in the same manner and subject to the same limitations as the special or ordinary coupon which it is issued to supplement.

<sup>1</sup>Inserted by notification No. 1-PR(9)/44, dated the 14th December, 1944.

(4A) Notwithstanding anything contained in sub-clauses (3) and (4), where the Provincial Rationing Authority is satisfied that any person to whom ordinary or supplementary coupons have been issued, may require a supply of motor spirit for use in the performance of essential professional, business or official duties in a place other than that in which he ordinarily resides, the Provincial Rationing Authority may, by a certificate in Form N, validate the coupons to authorise the supply in any such other place of motor spirit to such person for use in a vehicle other than that in respect of which the coupons were issued.

(5) All coupons shall have attached to them a statement that they authorise the supply of motor spirit during a named month or months, and shall be valid only if presented within that month or those months. In the case of a supplementary coupon one month only shall be named. In the case of a special or ordinary coupon the months named shall be successive, and shall be months included within a single quarter.

(6) All coupons shall contain expressed in units the amount of motor spirit for the supply of which the coupon is an authority.

(7) Coupons shall be issued in books on the cover of which shall be entered the details required by this clause to be attached to all coupons, and shall not be valid unless presented in and not detached from the book.

10. *Method of obtaining coupons.*—(1) Any person, wishing to obtain coupons authorising the supply of motor spirit for a vehicle or vehicles, shall make an application in Forms G, H, I, J, K or L, as set out in the First Schedule as the case may require, to the Area Rationing Authority having jurisdiction in respect of the vehicle or vehicles in connection with which the coupons are required. The application shall give full particulars of the vehicle or vehicles or service of stage carriages for which the motor spirit is required.

(2) An Area Rationing Authority may, before sanctioning the issue of any coupons in connection with any vehicle, require to be satisfied by the applicant that in the case of a motor vehicle it is registered under the Motor Vehicles Act, 1939<sup>1</sup> [and that the applicant for coupons has complied with a direction duly given to him under clause 5(3) of the Tyre Rationing Order, 1944], or in the case of a motor boat that it has, where necessary, a certificate of survey under the Inland Steam Vessels Act, 1917, or the corresponding law in force in the Province of Madras, and that all taxes due in respect of the vehicle at the beginning of the period during which the coupons authorise supply, have been paid.

(3) The authority by which any coupons are issued in connection with a vehicle shall cause the fact of such issue and the date thereof to be entered on the *certificate of registration* of the vehicle when the vehicle is not a stage carriage or on part A of the *permit* issued under the Motor Vehicles Act, 1939, in connection with the vehicle when the vehicle is a *stage carriage*.

10A. *Special provisions for defence, internal security or other emergent purposes.*—(1) Notwithstanding anything contained in clause 10, the Central Government, or any authority authorised in this behalf by the Central Government, may issue to any person supplementary coupons sufficient to

<sup>1</sup>Inserted by notification No. 1-PR(15)/44, dated the 18th April, 1945.



enable him to carry out any such defence or internal security or other emergent purpose as the said Government or authority, as the case may be, may consider necessary.

(2) A person obtaining a supply of motor spirit under this clause shall be responsible for the custody of supplementary coupons issued to him, and shall, on the completion of the purpose for which the coupons were issued or where the purpose is a continuing one, at the end of each month, report to the Central Government or issuing authority, as the case may be, the number of units for which coupons have been surrendered by him.

11. *Special provision for Civil and Military officers.*—(1) Notwithstanding anything contained in clause 10, the Provincial Government may direct an Area Rationing Authority to issue, to any civil or military officer nominated by the Provincial Government supplementary coupons sufficient to ensure a supply to him of motor spirit adequate for the performance of his official duties.

(2) An officer obtaining a supply of motor spirit under this clause shall be responsible for the custody of supplementary coupons issued to him, and shall report at the end of each month to the Areas Rationing Authority the number of units for which coupons have been surrendered by him.

12. *Power to attach conditions or instructions to coupons.*—An Area Rationing Authority may when issuing coupons to any person attach conditions or instructions thereto or may communicate in writing to such person the conditions or instructions governing the use of the coupons.

13. *Transfer of ordinary coupons.*—A person in whose name a motor vehicle is for the time being registered under the Motor Vehicles Act, 1939, or who is the owner of a motor boat may, if he transfers the vehicle to another person, transfer to that other person ordinary coupons issued to him in connection with the vehicle, and any ordinary coupon so transferred shall be valid in the hands of that other person in respect of the transferred vehicle as it was valid in the hands of the transferor.

14. *Coupons which are no longer valid to be delivered up.*—A person to whom coupons have been issued, or to whom coupons have been transferred under clause 13, shall within seven days deliver up at the office or place from which the coupons were obtained all coupons which have not been surrendered by him to a supplier upon the supply of motor spirit, if—

- (a) the period during which the coupons authorised the supply of motor spirit has expired, or
- (b) the use of the vehicle in respect of which the coupons were issued has, by reason of failure to comply with any conditions imposed by law on its use, become unlawful, or
- (c) the purpose for which the coupons were issued has ceased to apply.

15. *Method of obtaining licences.*—Any person wishing to obtain a licence shall make an application in Form M as set out in the First Schedule to the Director of Civil Aviation if the motor spirit is required for use in an aircraft and to the Provincial Rationing Authority in all other cases. The application shall give full particulars of the purpose or purposes for which the motor spirit is required.

16. *Particulars to be expressed in licence.*—(1) Every licence shall state the person to whom and the object for which it authorises the supply of motor spirit, the period for which the licence remains valid, and the amount of motor spirit of which it authorises the supply either—

(a) during the whole period of the validity of the licence, or

(b) during stated periods within that period of validity, or both such amounts.

(2) A licence shall ordinarily be expressed as being valid for one year, but the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, may issue licences having validity for any shorter period.

17. *Conditions implicit in or attached to licence.*—(1) Every licence shall be deemed to be granted subject to the condition that a supplier or dealer furnishing motor spirit on the authority of the licence shall endorse on the licence the quantity furnished on each occasion, and that the holder of the licence shall give the supplier or dealer a receipt for the quantity supplied.

(2) The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, when granting a licence may attach to it such conditions as he or it thinks fit, and the holder of the licence shall comply with any conditions contained in or attached to the licence.

18. *Power to rescind, vary or amend licences.*—The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, may at any time rescind, vary or amend any licence.

19. *Licence which is no longer valid, to be delivered up.*—When a licence is rescinded, or otherwise ceases to be valid, the holder shall forthwith deliver up the licence to the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be.

#### *Appointment and functions of Rationing Authorities.*

20. *Provincial Rationing Authority.*—(1) The Central Government shall have power to give directions to a Provincial Government as to the extent to which the consumption of motor spirit in the Province shall be reduced and as to the manner in which the provisions of this Order shall be carried out.

(2) The Provincial Government shall appoint a Provincial Rationing Authority having jurisdiction throughout the Province.

(3) The Provincial Rationing Authority shall, subject to the direction and control of the Provincial Government, exercise general control over the working of the system of rationing motor spirit established by this Order.

(4) The Provincial Rationing Authority may issue instructions to all or any Area Rationing Authorities as to the extent to which in issuing coupons for the supply of motor spirit to any person for any purpose the Area Rationing Authority shall aim at effecting a reduction of the amount of motor spirit consumed in normal conditions by that person for that purpose.

(5) The Provincial Rationing Authority shall have power to revise any decision or order made by an Area Rationing Authority.

(6) The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, shall decide the amount of motor spirit for which, in any case covered by clause 6, a licence may be issued, and shall issue or authorise the issue of all licences.

21. *Area Rationing Authorities.*—(1) The Provincial Government may appoint such Area Rationing Authorities, as it thinks fit, having jurisdiction in such areas and in respect of such vehicles or such class or classes of vehicles as may be specified in each case by the Provincial Government.

(2) An Area Rationing Authority shall, subject to any instructions issued in this behalf by the Provincial Rationing Authority and to the standards specified in the Second Schedule, decide in respect of any vehicle for the time being within its jurisdictional area the amount of motor spirit for which coupons may be granted and shall authorise the issue of all coupons.

(3) Any person dissatisfied with the decision or order of an Area Rationing Authority may apply to the Provincial Rationing Authority for revision of the decision or order. The Provincial Rationing Authority shall dispose of the application as it thinks fit, and shall not be bound to accord the applicant a hearing.

*Restrictions on supply and use of motor spirit, and dealings with receipts and coupons.*

22. *Motor spirit to be obtained only in accordance with this Order.*—No person shall furnish or acquire a supply of motor spirit otherwise than in accordance with the provisions contained in this Order.

23. *Motor spirit to be obtained only from supplier.*—No person other than a supplier shall furnish, and no person shall acquire otherwise than from a supplier, a supply of motor spirit.

24. *Use by producer of motor spirit for private purpose.*—Except under the authority of licence or unless the motor spirit has been obtained upon the surrender of coupons, no producer shall use or permit the use of motor spirit produced by him for the purpose of supplying motive power to a motor vehicle registered in his name under the Motor Vehicles Act, 1939, or to any aircraft or motor boat owned by him.

25. *Economy in consumption of motor spirit.*—No person shall use or permit the use of motor spirit save in such manner as will effect all reasonable economy in its consumption and will prevent any waste thereof.

26. *Use of motor spirit for a purpose other than that authorised.*—No person shall use or permit the use of motor spirit acquired by him against the surrender of special receipts or coupons or under the authority of a licence—

(a) for a purpose other than that to which the special receipts, coupons or licence relates, or for a purpose other than that for which the special receipts were issued to him or than that which was specified in any application in response to which the coupons were issued or the licence was granted, or

(b) save in accordance with any conditions or instructions appearing on or attached to the coupons or otherwise communicated in writing to the person to whom the coupons were issued, or

- (c) for any particular purpose where a supply has been made for more than one purpose, of a quantity thereof which exceeds the quantity acquired by him for that particular purpose, or
- (d) in a case in which the coupons have been issued in respect of a particular vehicle, in any other vehicle except a vehicle of the same class owned by the person to whom the coupons have been issued except under a certificate issued under sub-clause (4A), or
- (e) in a case in which the coupons have been issued in respect of a class of vehicle, in any other class of vehicle.

27. *Receipts and coupons to be surrendered only at time of supply of motor spirit.*—No person shall surrender to a supplier and no supplier shall accept special receipts or coupons or receipts at a time other than the time at which the supply of motor spirit authorised by the special receipts or coupons or acknowledged by the receipts is furnished :

Provided that a Provincial Rationing Authority, if he is satisfied that conditions justifying the surrender of special receipts at any other time exist, may permit surrender at such other times and on such conditions as he thinks fit.

27A. *Proof of supply.*—When motor spirit is furnished against the surrender of one or more coupons, the supplier shall immediately endorse, or cause to be endorsed, on each coupon so surrendered the registration or other identifying mark of the vehicle to which the motor spirit is furnished.

28. *Use of coupons for purpose other than that authorised.*—No person shall use or permit the use of coupons—

- (a) for a purpose other than that to which the coupons relate or other than that specified in any application in response to which the coupons were issued, or
- (b) save in accordance with any conditions or instructions appearing on or attached to the coupons or otherwise communicated in writing to the person to whom the coupons were issued.

29. *Transfer of coupons.*—Save as provided in clause 13 no person shall transfer to any other person coupons issued to himself.

30. *Obtaining coupons while possessed of coupons.*—No person shall, while in possession of coupons obtained from an Area Rationing Authority in respect of a particular vehicle, or vehicles, obtain or attempt to obtain coupons from that or any other Area Rationing Authority in respect of the same vehicle or vehicles without disclosing full particulars of the coupons in his possession.

### *Supplementary Provisions.*

31. *Preservation of special receipts, coupons and receipts.*—A supplier other than a dealer shall retain all special receipts, coupons and receipts, received by him, and a dealer shall retain all special receipts, coupons and receipts received by him, except such as he surrenders to a supplier when himself obtaining a stock of motor spirit until the Provincial Rationing authority authorises their destruction. <sup>2</sup>[All such special receipts, coupons

<sup>1</sup>Inserted by notification No. P. R. 532/43, dated the 13th January, 1944.

<sup>2</sup>Added by notification No. 1P.R.(6)/44, dated the 18th June, 1945.

and receipts shall be kept for not less than one week at the premises where they are received by the supplier, and if not kept at the premises they shall be so kept that they can be produced at the premises within half an hour of their being demanded: provided that if the Provincial Rationing Authority is satisfied that the supplier maintains at those premises a register of daily sales giving full particulars of the special receipts, coupons and receipts, it may exempt the supplier from this provision in respect of those premises.]

32. *Keeping of accounts and records and furnishing returns.*—A supplier shall, if so required by a general or special direction issued by the Central Government, keep such books, accounts and records, and furnish such returns at such times and to such authorities as may be specified in the direction.

33. *Powers of supervision and inspection.*—(1) A supplier, and a person employed in connection with the business of a supplier, shall, if requested so to do by or on behalf of the Provincial Rationing Authority:—

- (a) produce to any person mentioned in the request such books, accounts or other documents relating to the business (including the coupons, special receipts, receipts received by him) as may be mentioned in the request,
- (b) furnish to any person mentioned in the request such estimates, returns or information relating to the business as may be mentioned in the request, and
- (c) permit any person authorised by the Provincial Rationing Authority in that behalf to enter and inspect any premises used for or in connection with the business.

(2) The powers exercisable under this clause shall not be exercised except for the purpose of securing compliance with the provisions of this Order.

34. *Exemption.*—Nothing in this Order shall apply to:—

- (a) the supply of motor spirit to a dealer by a supplier—
  - (i) on not more than one occasion within one month of the coming into force of this Order, or
  - (ii) against surrender by the dealer to the supplier of special receipts, coupons or receipts, indicating the previous supply by the dealer of a quantity of motor spirit not less than 98 per cent. in case of deliveries made in cans or barrels or by a bulk lorry from a dépôt on the plains to a petrol pump in the hills, or of not less than 99 per cent. in all other cases of the quantity thereof supplied to him, or
  - (iii) making up a quantity of motor spirit which the supplier is satisfied has been short delivered to the dealer <sup>1</sup>[provided that if the Provincial Rationing Authority is satisfied that some special concession is necessary to make good cumulative loss of Motor Spirit in custody of the dealer arising out of evaporation, leakage, shrinkage or other cause beyond the control of the dealer, he may in such cases as are specified by him, permit the alteration of the figure 99 per cent. to any figure not less than 98 per cent.], or

<sup>1</sup>Inserted by notification No. 48P.R.(I)/45, dated the 30th June, 1945.

- (b) the transfer of motor spirit from a supplier to a supplier who is not a dealer; or
- (c) the supply of motor spirit by a producer thereof to a supplier who is not a dealer; or
- (d) the supply from stocks under the direct control of the Government concerned of motor spirit for use in—
  - (i) vehicles employed by the Central or a Provincial Government for defence or internal security purposes, or
  - (ii) vehicles, aircraft and machinery employed in or in the maintenance of His Majesty's Forces, or
- (e) the supply of motor spirit by a producer or supplier thereof to such stocks as are referred to in sub-clause (d); or
- (f) the supply of motor spirit by a producer or supplier for the refuelling, of any aircraft in, or in the maintenance of, His Majesty's Forces, on the pilot of such aircraft furnishing a signed statement showing his name, rank and designation and number of the aircraft; or
- (g) the supply of motor spirit by a producer or supplier for the emergent refuelling of any vehicle employed in, or in the maintenance of, His Majesty's Forces on the officer in charge of such vehicle furnishing a signed statement declaring his name, rank and designation, the number of the vehicle refuelled and the fact that no special receipts were in his possession.

35. *Reciprocal arrangements with Indian States.*—If the Central Government is satisfied that the Government of an Indian State has made within the State provision for the rationing of motor spirit which is substantially the same as that made in this Order, and that the Government of that Indian State will accept as effective within the State, special receipts, coupons, licences and receipts issued in British India, the Central Government may by notification in the official Gazette, direct that so long as the notification remains in force special receipts, coupons, licences and receipts issued by or under the authority of the Government of that Indian State shall be effective in British India as though they had been issued in British India.

36. *Restriction on bringing motor spirit into British India.*—No person other than a supplier who is not a dealer shall bring into British India motor spirit obtained outside British India, unless,

- (i) he has acquired it against the surrender of a special receipt, coupon or receipt accepted as effective within an Indian State in respect of which a notification under clause 35 has been issued and is in force; or
- (ii) the motor spirit is in the ordinary fuel tank of a motor vehicle or aircraft travelling into British India.

37. *Special provision for persons temporarily visiting British India.*—Notwithstanding anything contained in the Order when a person temporarily visiting British India applies to an Area Rationing Authority for coupons under clause 10, the Area Rationing Authority may instead of issuing ordinary coupons, issue supplementary coupons for such number of units as it thinks reasonable in all the circumstances of the case. Such supplementary coupons shall be stamped with the word "visitor".

**The First Schedule.***Forms.***FORM A.****SPECIAL RECEIPT** (*vide* CLAUSES 3 AND 8).*Cover.***MOTOR SPIRIT RATIONING ORDER, 1941.**

Office of Issue.....Book No.

The Receipt Forms in this book may be used only to obtain (otherwise than from stocks under the direct control of the Government concerned) a supply of motor spirit required for aircraft, vehicles, or machinery employed by the Central or a Provincial Government in or in the maintenance of His Majesty's Forces or for defence or internal security purposes or by a railway administration for purposes other than the provision of facilities for the public carriage of goods and passengers. The book must be produced whenever motor spirit is purchased, and the receipts must be detached only at the time of purchase, and must be completed by the holder of the book.

*Signature of officer issuing the Book*.....**RECEIPT.****Form A.**

Book No.....Receipt No.....

Office of issue and.....

Date.....

Service Central/Provincial.....(Description).

Received from.....

(Name and address  
of dealer or  
supplier.)

.....(in words and figures) gallons motor spirit.

*Signature*.....*Official designation*.....*Date*.....

## FORM B.

RECEIPT (*vide* CLAUSE 6).*Cover.*

MOTOR SPIRIT RATIONING ORDER, 1941.

Office of issue and.....Book No.....Licence No.

The Receipt Forms contained in this book may be used only to obtain a supply of motor spirit under the licence in respect of which the book has been issued. The book must be produced whenever motor spirit is purchased, and the receipts must be detached only at the time of purchase and must be completed by the holder of the book.

## RECEIPT.

Form B. Book No.....Receipt No.....

Licence No.....issued by Provincial Rationing Authority/Director of

Civil Aviation.....on.....

Received from.....

(Name and address  
of dealer or  
supplier.)

.....(in words and figures) gallons motor spirit.

The quantity supplied has been entered in the licence.

*Signature of licensee*.....*Address*.....*Date*.....



## FORM C.

SPECIAL COUPON (*vide* CLAUSES 4 AND 9).*Cover—Front.*

MOTOR SPIRIT RATIONING ORDER, 1941.

Motor Spirit Ration Book. Special Coupons. Form C.

24

Book No..... Office of Issue.....

and date.....

Valid up to.....

Issued to.....

Enter name and designation of person concerned and Department or Office of Central or Provincial Government or local authority which he represents; or name of person operating ambulance, travelling dispensary or school bus.

The coupons in this book may be used only to obtain a supply of motor spirit for the vehicles employed by the Government Department or Office or the local authority for which the book is issued, or for the ambulance, travelling dispensary, or school bus for which the book issued. The book must be produced whenever motor spirit is purchased and the coupons must be detached only at the time of purchase, the particulars to be filled in thereon being completed by the dealer or supplier.

*Cover—Reverse.*

## NOTE.

1. The issue of a ration book does not guarantee the holder any minimum quantity of motor spirit and the book may be cancelled at any time without notice.
2. If, for any reason, the use is discontinued of the vehicle or vehicles in respect of which this book has been issued, this book must be returned to the Office of Issue together with all unused coupons.
3. This book should also be returned to the Office of Issue if, on the expiry of its validity, there remain any unsurrendered coupons.

*Coupon—Front.*

<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>SPECIAL.</b></p> <p><b>FOUR (4) UNITS.</b></p> <p>Valid up to</p> <p>.....</p>	<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>SPECIAL.</b></p> <p><b>FOUR (4) UNITS.</b></p> <p>Valid up to</p> <p>.....</p>
--	--

*Coupon—Reverse.*

<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address } .....  of dealer or } .....  supplier. } .....</p> <p>Quantity supplied.....gallons.</p> <p>Date.....</p>	<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address } .....  of dealer or } .....  supplier. } .....</p> <p>Quantity supplied.....gallons..</p> <p>Date.....</p>
---	--

*To be printed in denominations of 24, 40, 80 and 120 units.*

## FORM D.

ORDINARY COUPON (*vide* CLAUSES 5 AND 9).*Cover—Front.*

MOTOR SPIRIT RATIONING ORDER, 1941.

Motor Spirit Ration Book. Ordinary Coupons. Form D.

10

Book No..... Office of Issue.....

and date.....

Valid up to.....

16—19 H.P.

Issued to.....for

Vehicle No.....

Stage carriage(s) covered by Permit No.....

Class of vehicle.....

The coupons in this book may be used only to obtain a supply of motor spirit for the vehicle whose registered number is given above or whose operation as a stage carriage is authorised by the permit number given above. The book must be produced whenever motor spirit is purchased and the coupons must be detached only at the time of purchase, the particulars to be filled in thereon being completed by the dealer or supplier.

*Cover—Reverse.*

## NOTE.

1. The issue of a ration book does not guarantee the holder any minimum quantity of motor spirit and the book may be cancelled at any time without notice.
2. If, for any reason, the use is discontinued of the vehicle or vehicles in respect of which this book has been issued, this book must be returned to the Office of Issue together with all unused coupons.
3. This book should also be returned to the Office of Issue if, on the expiry of its validity, there remain any unsurrendered coupons.

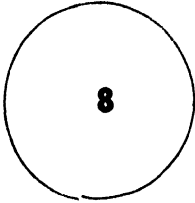
*Coupon—Front.*

<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>ORDINARY.</b></p> <p><b>ONE (1) UNIT</b></p> <p>Valid up to</p> <p>.....</p>	<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>ORDINARY.</b></p> <p><b>FOUR (4) UNITS</b></p> <p>Valid up to</p> <p>.....</p>
--	--

*Coupon—Reverse.*

<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address of dealer or supplier. } .....</p> <p>Quantity supplied.....gallons.</p> <p>Date.....</p>	<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address of dealer or supplier. } .....</p> <p>Quantity supplied.....gallons.</p> <p>Date.....</p>
---	---

*To be printed in denominations of 2, 3, 5, 6, 8, 9, 10, 12, 20, 30, 50 and 100 units.*

**FORM E.****SUPPLEMENTARY COUPON [vide CLAUSES 4, 5 AND 9 (4).]***Cover—Front.***MOTOR SPIRIT RATIONING ORDER, 1941.****Motor Spirit Ration Book. Supplementary Coupons. Form E.**

Book No..... Office of Issue.....

and date.....

Valid for.....

Issued to.....for

Vehicle No.....

Stage carriage(s) covered by Permit

No.....

Vehicles employed by.....

Class of vehicle.....

Enter name of Government Department or local authority or person operating ambulance, school bus, etc.

The coupons in this book may be used only to obtain a supply of motor spirit for the vehicle(s) in respect of which this book is issued. The book must be produced whenever motor spirit is purchased and the coupons must be detached only at the time of purchase, the particulars to be filled in thereon being completed by the dealer or supplier.

*Cover—Reverse.***NOTE.**

1. The issue of a ration book does not guarantee the holder any minimum quantity of motor spirit and the book may be cancelled at any time without notice.
2. If, for any reason, the vehicle ceases to be used or the route authorised by the permit ceases to be operated, this book must be returned to the Office of Issue together with all unused coupons.
3. This book should also be returned to the Office of Issue if, on the expiry of its validity, there remain any unsurrendered coupons.

*Coupon—Front.*

<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>SUPPLEMENTARY.</b></p> <p>Two (2) Units.</p> <p>Valid for</p> <p>.....</p>	<p><b>NOT TRANSFERABLE.</b></p> <p>Book No.....</p> <p><b>SUPPLEMENTARY.</b></p> <p>Two (2) Units.</p> <p>Valid for</p> <p>.....</p>
--	--

*Coupon—Reverse.*

<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address } ..... of dealer or } ..... supplier. } .....</p> <p>Quantity supplied.....gallons.</p> <p>Date.....</p>	<p>This coupon is issued subject to the conditions that this book is produced at the time of supply and that the coupon is then detached therefrom. Motor spirit must only be supplied at the time of its purchase and against the surrender at the time of coupons which are then valid.</p> <p>The following particulars are to be filled in by the dealer or supplier.</p> <p>Name and address } ..... of dealer or } ..... supplier. } .....</p> <p>Quantity supplied.....gallons.</p> <p>Date.....</p>
---	---

*To be printed in denominations of 2, 4, 8 and 12 units.*

## FORM F.

**Licence (Vide Clause 6).****MOTOR SPIRIT RATIONING ORDER, 1941.**

Licence Number.....  
(in respect of motor spirit to be used otherwise than in motor vehicles and motor boats).

(Name and address of licensee) Mr./Messrs.....  
.....is/are hereby licensed to acquire  
motor spirit to the extent of.....  
(in words and figures) up to.....194....., subject to  
the following conditions:—

(a) The maximum quantity to be acquired in any one calendar month shall not exceed.....gallons (in words and figures).

(b) The motor spirit acquired under the licence shall be used for no purpose other than.....

(c) Motor spirit shall be acquired from a supplier or dealer.

(d) When any motor spirit is acquired under this licence, this licence must be produced before the supplier or dealer and the supplier or dealer shall enter upon its reverse the quantity acquired in words and figures, the date of supply and number of the Receipt in Form B and shall append his signature and address.

(e) The licensee shall give the supplier or dealer a receipt in the prescribed Form B from Book No.....which is issued to licensee with this licence, for all motor spirit acquired on each occasion.

(f) The licence is not transferable and both the licence and the book of receipt forms shall remain in the custody of the licensee.

(g) On expiry of the licence both this licence form and the cover of receipt book together with unused receipt forms shall be returned to the office of issue along with, if necessary, an application in form "M" for renewal.

(h) The validity of the licence expires on.....194.....

Date:—

**PROVINCIAL RATIONING AUTHORITY.****DIRECTOR OF CIVIL AVIATION.***Supply of Motor Spirit.*

Quantity of motor spirit supplied.	Date of supply.	Receipt number.	Signature and address of supplier or dealer.	Quantity of motor spirit supplied.	Date of supply.	Receipt number.	Signature and address of supplier or dealer.

<sup>1</sup>Substituted by notification No. 20—PR(9)/44, dated the 19th September 1945.

## FORM G.

## MOTOR SPIRIT RATIONING ORDER, 1941.

*Application for special coupons [vide clause 10 (I)].*

An application in this form should only be made when the vehicles for which motor spirit is required are—

- (a) employed by the Central or a Provincial Government for any administrative purpose other than the maintenance of internal security or public transport; or
- (b) employed by local authorities for any administrative purpose other than public transport; or
- (c) used as ambulances, travelling dispensaries or school buses.

The particulars on this form should be completed and the form presented or sent to the Area Rationing Authority together with the registration certificates of the vehicles in respect of which the application is made. Special coupons will not be issued for a period longer than three months as specified below.

I hereby apply for the issue of Special Coupons in respect of the vehicle(s) particulars of which are entered on the reverse:—

- (1) Name, official designation and full postal official address of applicant. (In block capitals.)

- (2) Period for which required

{ \*February, March, April 194  
\*May, June, July 194  
\*August, September, October 194  
\*November, December, January 194

- (3) The following particulars *must* be given in respect of all applications *other than the first*:—

- (i) Date of last application.
- (ii) To whom made.
- (iii) Quantity of motor spirit, if any, allowed.....units.

I hereby declare that the contents of this application are true and that I have made no other application for special coupons for the vehicles for the period to which this application relates. I further declare that no application has been made for ordinary coupons for the vehicles or will be as long as the supply of motor spirit to them is regulated by the issue of special coupons.

Date.....

Signature of applicant.



*Form G—Reverse.*

Registered number of vehicle.	Horse power.	Description.	Purpose for which used.	Average monthly consumption for twelve months ending 30th June, 1941. Vehicles serving the same purpose may be grouped together.

*For use in office of Rationing Authority.*

Special Coupons for.....units sanctioned for period ending.....

Book(s) Number(s).....issued.

Date.....

*Rationing Authority.*.....*Area.***FORM H.****MOTOR SPIRIT RATIONING ORDER, 1941.***Application for ordinary coupons [vide Clause 10 (1).]*

(FOR ALL MOTOR BOATS AND ALL MOTOR VEHICLES OTHER THAN STAGE CARRIAGES OR VEHICLES IN THE POSSESSION OF A DEALER OR DISTRIBUTOR UNDER A TRADE OR GENERAL NUMBER.)

The particulars on this form should be completed and the form presented or sent together with the registration certificate(s) of the vehicle(s) (or certificate of Survey in the case of a motor boat) in respect of which the application is made, to the Area Rationing Authority. Ordinary coupons will not be issued for a period longer than three months, as specified below.

I hereby apply for the issue of Ordinary Coupons in respect of the vehicle(s) particulars of which are entered on the reverse.

1. Name and full postal address of the applicant (in block capitals).

[ \*February, March, April 194  
 \*May, June, July 194  
 \*August, September, October 194  
 \*November, December, January 194

Period for which required

3. I have paid the tax due on the vehicles up to.....
4. The following particulars must be given in respect of all applications other than the first:—
  - (i) Date of last application for ordinary coupons.
  - (ii) To whom made.
  - (iii) Quantity of motor spirit, if any, allowed.....units.
  - (iv) Period for which valid.....

I hereby declare that the contents of this application are correct and that I have made no other application for ordinary coupons for the vehicles and period to which this application relates.

Date.....

.....

*Signature of applicant.*

\*Strike out whichever alternatives are inapplicable.

*Form H—Reverse.*

Registered number of vehicle or in case of motor boats number of certificate of survey.	Horse power and in case of goods vehicles registered laden weight.	Description of vehicle, whether motor cycle, motor cab, motor car, contract carriage, goods vehicle, tractor or motor boat.	Purpose for which vehicle is used.	If vehicle is a transport vehicle, give class and number of permit and area for which valid.	If vehicle is a transport vehicle or a motor boat used other than for pleasure give figure of average monthly consumption of motor spirit for twelve months prior to 30th June, 1941.

*For use in office of Rationing Authority.*

Ordinary Coupons for.....units sanctioned for period ending.....

Book(s) Number(s).....issued.

*Rationing Authority.**Date*.....*Area.***FORM I.****MOTOR SPIRIT RATIONING ORDER, 1941.***Application for ordinary coupons [vide Clause 10 (I).]***FOR STAGE CARRIAGES ONLY.**

The particulars on this form should be completed and the form presented or sent, together with part A of the Stage Carriage Permit, to the Area Rationing Authority. Ordinary coupons will not be issued for a period longer than three months as specified below.

I hereby apply for the issue of Ordinary Coupons in respect of the Stage Carriage(s) particulars of which are entered on the reverse.

1. Name and full postal address  
of applicant (in block capitals).

[ \*February, March, April 194  
\*May, June, July 194  
\*August, September, October 194  
\*November, December, January  
194

2. Period for which required

3. I have paid tax due on the vehicles up to.....

4. The following particulars *must*  
be given in respect of all other  
applications *than the first*:—

- (i) Date of last application for ordinary coupons.  
(ii) To whom made.  
(iii) Quantity of motor spirit if any allowed.....units.  
(iv) Period for which valid.....

I hereby certify that the contents of this application are correct and that I have made no other application for ordinary coupons in connection with the use of the vehicles as stage carriages for the period to which this application relates.

*Date.**Signature of applicant.*

\*Strike out whichever alternatives are inapplicable.

*Form I—Reverse.*

Class and number of Stage Carriage permit.	Registered number of vehicles usually used on route(s).	Horse power.	Seating capacity.	Particulars including length of routes covered by permit.	Numbers of return trips performed daily on each route.

*For use in office of Rationing Authority.*

Ordinary Coupons for.....units sanctioned for period ending.....

Book(s) Number(s).....issued.

*Rationing Authority.*  
.....*Area.*

Date.....

**FORM J.**

**MOTOR SPIRIT RATIONING ORDER, 1941.**

*Application for ordinary coupons [vide Clause 10 (I).]*

**FOR VEHICLES IN THE POSSESSION OF A DEALER OR DISTRIBUTOR UNDER A TRADE OR GENERAL NUMBER.**

The particulars on this form should be completed and the form presented or sent to the Area Rationing Authority. Coupons will not be issued for a period longer than three months, as specified below.

I hereby apply for the issue of Ordinary Coupons in connection with my business as a dealer in or distributor of motor vehicles.

1. Name and full business address of applicant (in block capitals).
2. Period for which required .. {
  - \*February, March, April 194
  - \*May, June, July 194
  - \*August, September, October 194
  - \*November, December, January 194
3. Details of trade or general numbers issued to applicant.
4. The following particulars *must* be given in respect of all applications *other than the first*:—
  - (i) Date of last application for coupons.
  - (ii) To whom made.
  - (iii) Quantity of motor spirit allowed, if any.....units.
  - (iv) Period for which valid.....

I hereby declare that the contents of this application are true and that I have made no other application in respect of the trade or general numbers for the period to which this application relates.

Date.....

*Signature of applicant.*

\*Strike out whichever alternatives are inapplicable.

*For use in office of Rationing Authority.*

Ordinary Coupons for.....units sanctioned for  
period ending.....

Book(s) Number(s).....issued.

*Rationing Authority.*

.....*Area.*

*Date*.....

**FORM K.****MOTOR SPIRIT RATIONING ORDER, 1941.***Application for supplementary coupons [vide Clause 10 (1).]***FOR ALL VEHICLES OTHER THAN STAGE CARRIAGES.**

An application in this form should only be made when a person to whom special or ordinary coupons have been issued apprehends that those coupons will not be sufficient to meet his actual requirements. Supplementary coupons will not be issued unless the Rationing Authority considers that a genuine need exists for additional supplies of spirit and their period of validity will not exceed one month. The following particulars should be completed and the form presented or sent to the Area Rationing Authority together with the Registration Certificate(s) of the vehicles (or Certificate of Survey in the case of a Motor Boat) to which the application relates.

I hereby apply for supplementary coupons in respect of the vehicle(s) particulars of which are entered on the reverse.

1. Name, profession and full postal address of applicant (in block capitals).
2. Particulars of coupon already held for vehicles to which this application relates.
  - (i) Whether special or ordinary.
  - (ii) By whom issued.
  - (iii) Numbers of coupon books.
  - (iv) Monthly consumption permitted for each vehicle.
3. If the application refers to a private motor car or motor cycle give registered numbers and H.P. of all motor cars and motor cycles in applicant's possession.
4. The following particulars *must* be given in respect of all other applications *than the first*:—
  - (i) Date of last application for supplementary coupons.
  - (ii) To whom made.
  - (iii) Quantity, if any, of motor spirit allowed.
  - (iv) Month for which valid.

I hereby declare that all the particulars given on this form are correct and that I have made no application for supplementary coupons for the vehicles to which this application relates subsequent to that stated above.

Date.....

Signature of applicant.

*Form K.—Reverse.*

Register number of vehicle or in the case of a motor boat, number of certificate of survey.	Horse power.	Description whether motor cycle, motor car, motor cab, goods vehicle, tractor, contract carriage or motor boat.	Purposes for which vehicle is used. If vehicle is a transport vehicle give number and class of permit and area for which permit is valid.	Average monthly consumption of motor spirit by vehicle for twelve months prior to 30th June, 1941.

*For use in office of Rationing Authority.*

Coupons for.....supplementary units sanctioned for.....(months).

Book(s) Number(s).....issued.

*Rationing Authority.*

.....*Area.*

Date.....

**FORM L.**

**MOTOR SPIRIT RATIONING ORDER, 1941.**

*Application for supplementary coupons [vide Clause 10 (1).]*

**FOR STAGE CARRIAGES ONLY.**

An application in this form should only be made when a person to whom ordinary coupons have been issued for the purpose of operating a stage carriage or service of stage carriages apprehends that those coupons will not be sufficient to meet actual requirements. Supplementary coupons will not be issued unless the Rationing Authority considers that a genuine need exists for additional supplies of motor spirit and their period of validity will not exceed one month. The following particulars should be completed and the form presented or sent to the Area Rationing Authority together with Part A of the permit which authorises the use for the vehicle(s) as a stage carriage(s).

I hereby apply for supplementary coupons in respect of the vehicle(s) particulars of which are entered on the reverse:—

1. Name and *full* postal address of applicant (in block capitals).

2. Particulars of ordinary coupons already held for vehicles to which this application refers.

- (i) By whom issued.
- (ii) Numbers of coupon books.
- (iii) Monthly consumption permitted for vehicles or service of vehicles.

3. The following particulars should be given in respect of all other applications *than the first*:—

- (i) Date of last application for supplementary coupons.
- (ii) To whom made.
- (iii) Quantity, if any, of motor spirit sanctioned.
- (iv) Month for which valid.

I hereby declare that all the particulars given on this form are correct and that I have made no application for supplementary coupons for the vehicle(s) to which this application relates subsequent to that stated above.

Date.....

Signature of applicant.

*Form L.—Reverse.*

Class and number of Stage Carriage permit.	Registered number of vehicles normally used on route(s).	Horse power.	Seating capacity.	Particulars of route(s) including length and average number of return trips daily.	Reasons why ordinary ration has proved inadequate.

*For use in office of Rationing Authority.*

Coupons for.....supplementary units sanctioned for.....(month).

Book(s) Number(s).....issued.

*Rationing Authority.*

Date.....

.....Area.

### FORM M.

MOTOR SPIRIT RATIONING ORDER, 1941.

*Application for Licence (vide Clause 15).*

*Note.*—An application in this form is to be made only when motor spirit is required for a purpose other than the propulsion of motor vehicles on roads or the propulsion of motor boats. It should be submitted to the PROVINCIAL RATIONING AUTHORITY or if in connection with the use of aircraft, to the Director of Civil Aviation. The validity of any licence issued will not exceed twelve months.

1. Name and full postal address of applicant (in block capitals).
2. State the purpose for which the motor spirit is required.
3. State approximate monthly consumption for the abovementioned purpose for the twelve months ending 30th June 1941. ....gallons.
4. State the maximum consumption in any one of those months. ....gallons.
5. State:—
  - (i) the period for which you require a licence. ....gallons.
  - (ii) the amount of motor spirit expected to be consumed in that period. ....gallons.
6. The following particulars *must* be given in respect of all applications *other than the first*:—
  - (a) Date of last application.
  - (b) To whom made.
  - (c) Number of licence issued (if any).
  - (d) Quantity of motor spirit sanctioned.
  - (e) Period for which licence was issued. ....gallons.
  - (f) Date of expiry.

I hereby certify that the contents of this application are correct.

Date.....

*Signature of applicant.*

*For use in office of Rationing Authority.*

Licence in Form F Number.....issued.

Date of expiry.....

Quantity allowed.....

Receipt Book(s) in Form B Number(s).....issued.

Date.....

*Provincial Rationing Authority.*

#### FORM N.

#### MOTOR SPIRIT RATIONING ORDER, 1941.

*Certificate validating supply to other vehicle, vide clause 9 (4A).*

Province of.....

Ordinary or supplementary coupons issued to..... for obtaining a supply of motor spirit for use in vehicle registered No.....are hereby validated, under sub-clause (4A) of clause 9 of the Motor Spirit Rationing Order, 1941, for obtaining in any place in British India other than.....a supply of motor spirit for use by the said.....in any other vehicle.

Date.....

*Provincial Rationing Authority.*

**The Second Schedule.**

[See clause 21 (2).]

*Standards for Area Rationing Authorities.*

Class of vehicles.	Standard to which an Area Rationing Authority shall have regard in deciding the amount of motor spirit for which coupons other than supplementary coupons are to be granted.
<ol style="list-style-type: none"> <li>1. Vehicles not covered by clause 3 which are employed by the Central or a Provincial Government for any administrative purpose other than public transport.</li> <li>2. (a) Vehicles employed by local authorities for any administrative purpose other than public transport.</li> <li>     (b) Vehicles used as ambulances, travelling dispensaries, or school buses.</li> <li>3. Transport vehicles and motor boats used for public transport.</li> <li>4. Motor vehicle in the possession of a dealer or distributor, the use of which is authorised by a trade or general numbers issued in accordance with rules made under clause (K) of section 41(2) of the Motor Vehicles Act, 1939.</li> </ol>	<p style="text-align: center;"><b>A.</b></p> <p>The minimum requirements as stated by the authority responsible to the Government concerned for the operation of the vehicle.</p> <p>The minimum required for the maintenance of essential services as estimated by the Area Rationing Authority, after summary enquiry, and after consideration of—</p> <ol style="list-style-type: none"> <li>(a) the consumption of motor spirit in normal circumstances of the vehicle.</li> <li>(b) the possibility of reverting to animal drawn transport,</li> <li>(c) the possibility of effecting economy of consumption by a re-arrangement of routes, and</li> <li>(d) any other factor the Area Rationing Authority deems relevant.</li> </ol> <p>The minimum, in relation to the required reduction of total consumption estimated by the Rationing Authority to be necessary to enable the transport vehicle or motor boat to satisfy local needs, with regard to local conditions and to the existing and potential capacity of railborne, waterborne and other transport facilities.</p> <p>The minimum requirements of the dealer or distributor as estimated by the Area Rationing Authority, subject to a limit of 10 units per month for each trade or general number issued to him.</p>



Class of vehicles.	Standard to which an Area Rationing Authority shall have regard in deciding the amount of motor spirit for which coupons other than supplementary coupons are to be granted.																		
<p>5. Vehicles not included in items 1, 2, 3 and 4.</p>	<p>Where the horse power (as entered in the certificate of registration in the case of a motor vehicle or as stated in the manufacturer's specification in the case of a motor boat)—</p> <table> <thead> <tr> <th></th><th data-bbox="904 569 1013 623">Units per month.</th></tr> </thead> <tbody> <tr> <td data-bbox="620 677 895 758">does not exceed 3 H. P.</td><td data-bbox="982 677 999 704">2</td></tr> <tr> <td data-bbox="620 704 895 758">exceeds 3 H. P. but does not exceed 4 H. P. ..</td><td data-bbox="982 731 999 758">3</td></tr> <tr> <td data-bbox="620 811 895 865">exceeds 4 H. P. but does not exceed 7 H. P. ..</td><td data-bbox="982 838 999 865">5</td></tr> <tr> <td data-bbox="620 919 895 973">exceeds 7 H. P. but does not exceed 9 H. P. ..</td><td data-bbox="982 946 999 973">6</td></tr> <tr> <td data-bbox="620 1026 895 1080">exceeds 9 H. P. but does not exceed 12 H. P. ..</td><td data-bbox="982 1053 999 1080">8</td></tr> <tr> <td data-bbox="620 1134 895 1223">exceeds 12 H. P. but does not exceed 15 H. P. ..</td><td data-bbox="982 1197 999 1223">9</td></tr> <tr> <td data-bbox="620 1277 895 1367">exceeds 15 H. P. but does not exceed 19 H. P. ..</td><td data-bbox="969 1331 999 1358">10</td></tr> <tr> <td data-bbox="620 1421 802 1438">exceeds 19 H. P. ....</td><td data-bbox="969 1412 999 1438">12</td></tr> </tbody> </table> <p data-bbox="780 1528 802 1555"><b>B.</b></p>		Units per month.	does not exceed 3 H. P.	2	exceeds 3 H. P. but does not exceed 4 H. P. ..	3	exceeds 4 H. P. but does not exceed 7 H. P. ..	5	exceeds 7 H. P. but does not exceed 9 H. P. ..	6	exceeds 9 H. P. but does not exceed 12 H. P. ..	8	exceeds 12 H. P. but does not exceed 15 H. P. ..	9	exceeds 15 H. P. but does not exceed 19 H. P. ..	10	exceeds 19 H. P. ....	12
	Units per month.																		
does not exceed 3 H. P.	2																		
exceeds 3 H. P. but does not exceed 4 H. P. ..	3																		
exceeds 4 H. P. but does not exceed 7 H. P. ..	5																		
exceeds 7 H. P. but does not exceed 9 H. P. ..	6																		
exceeds 9 H. P. but does not exceed 12 H. P. ..	8																		
exceeds 12 H. P. but does not exceed 15 H. P. ..	9																		
exceeds 15 H. P. but does not exceed 19 H. P. ..	10																		
exceeds 19 H. P. ....	12																		
All vehicles in respect of which supplementary coupons are required.	The minimum requirements in each case as determined by the Area Rationing Authority.																		

**(X) MOTOR VEHICLES AND TYRES.**

*Notification No. 7-LV(10)/45, dated the 14th July, 1945 (published in the "Gazette of India" of the 14th July, 1945, Pt. I, p. 919).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Civil Motor Cars Control Order, 1945.

(2) It shall come into force at once.

(3) It extends to the whole of British India.

2. In this Order, unless there is anything repugnant in the subject or context,

(a) "the Act" means the Motor Vehicles Act, 1939 (IV of 1939);

(b) "controlled motor car" means any unused motor car of a description given in the First Schedule imported into India after the first day of April 1945 either on Government account or commercially for civil use;

(c) "dealer" means a person appointed as such under clause 3 or clause 4 of this Order;

(d) "distributor" means any person whose name is for the time being specified in the Second Schedule to this Order;

(e) "motor car" has the meaning assigned to it in the Act;

(f) "offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a motor car, made by the publication of a price list, by exposing the motor car for sale in association with a mark indicating price, by the furnishing of a quotation or otherwise howsoever.

(g) "Provincial Motor Transport Controller" in relation to a province means the officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order;

(h) "registering authority" means the authority empowered to register motor vehicles under Chapter III of the Act;

(i) "sale order" means an order in the form set out in the Third Schedule issued by a Provincial Motor Transport Controller;

(j) "Schedule" means a schedule to this Order;

(k) "sub-dealer" means a person appointed as such under clause 3 or clause 4 of this Order;

'(1) "Administered Area" means any of the territories set out in the Seventh Schedule to this Order.

3. A distributor may, by order in writing, in the form shown in the Fourth Schedule to this Order, appoint a dealer or a sub-dealer for controlled motor cars of any make or makes dealt in by him in respect of such areas as may be specified in the order. The distributor may at any time, by order in writing, revoke or modify any appointment of a dealer or sub-dealer. Copies of all orders made under this clause shall be forwarded to the War Transport Department of the Government of India, and to the Provincial Motor Transport Controller having jurisdiction in the area in respect of which the orders are made:

Provided that no such orders shall be issued in respect of controlled motor cars imported on Government account without the previous approval of the Central Government.

4. The Central Government may, by an order in writing, appoint dealers and sub-dealers in addition to those appointed under clause 3 of this Order and may, by an order in writing, revoke or modify appointments made under this clause.

5. Every distributor importing motor cars into India commercially for civil use shall, <sup>2</sup>[by the 7th day of every month] submit a return in the form set out in the Fifth Schedule to the War Transport Department of the Government of India and to the Provincial Motor Transport Controller of the Province in which his main business premises are situated.

6. The Central Government may by notification in the official Gazette specify the maximum retail price of controlled motor cars of any type and make, and may by general or special order regulate the prices at which and the conditions subject to which controlled motor cars may be sold by a distributor to a dealer or by a dealer to a sub-dealer.

7. Every dealer or sub-dealer shall, by notice in the form set out in the Sixth Schedule, prominently exhibited on his business premises, indicate the maximum retail prices specified under clause 6 in respect of each type and make of controlled motor cars kept by him for sale.

8. (1) No person shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, a controlled motor car at a price exceeding the maximum retail price specified by the Central Government under clause 6, nor shall he demand or receive any other consideration in excess of the price so specified: .

Provided that a dealer or sub-dealer may charge, in addition to the retail price so specified such items of delivery charges of the controlled motor car from the premises of the distributor to the premises of the dealer or sub-dealer, as may be sanctioned by the Central Government from time to time.

(2) No person shall, as a consideration for the sale or disposal by him of a controlled motor car, take, or make allowance for, any other motor car, save in accordance with the written orders of the Provincial Motor Transport Controller.

<sup>2</sup>9. (1) Save as provided in sub-clauses (2) and (3), no distributor, dealer or sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled motor car.

<sup>1</sup>Inserted by notification No. 9-LV(16)/45, dated the 22nd September, 1945.

<sup>2</sup>Substituted by notification No. 9-LVC(16)/45, dated the 5th January 1945.

(2) The Central Government may by special order require any distributor, dealer or sub-dealer, and a Provincial Motor Transport Controller may by special order require any dealer or sub-dealer to sell or otherwise dispose of any controlled motor car in his possession in such manner as may be specified in the order; and the distributor, dealer or sub-dealer, as the case may be, shall comply with the order.

(3) Subject to any order made under sub-clause (2) a controlled motor car may be sold or otherwise disposed of:—

(a) by a distributor to a dealer or sub-dealer; or

(b) by a dealer to any other dealer or to a sub-dealer; or

(c) by a dealer or sub-dealer in accordance with a sale order:

Provided that if any controlled motor car has been lying in the show-room of a dealer or sub-dealer ready for sale and delivery, for more than 45 days the dealer or sub-dealer, as the case may be, may sell or otherwise dispose of that controlled motor car to any person whatsoever, even though a sale order has not been issued in his favour.

<sup>1</sup>[*Explanation 1.*—A dealer or a sub-dealer, appointed in accordance with the provisions of an Order of like purport as this Order for the time being in force in an Indian State or an Administered Area, shall be deemed to be a dealer or a sub-dealer, as the case may be, for the purposes of this clause.]

*Explanation 2.*—A sale order issued under the provisions of an Order of like purport as this Order for the time being in force in an Indian State or an Administered Area shall be deemed to be a sale order for the purposes of this clause.]

(4) No dealer or sub-dealer shall, without good and sufficient cause, refuse to sell and deliver any controlled motor car, on tender of a proper price to a person holding a sale order issued by a Provincial Motor Transport Controller having jurisdiction in any portion of the business territory of the dealer or sub-dealer.

10. No distributor, dealer or sub-dealer shall remove from a controlled motor car in his possession any part thereof or any accessory, tyre or tube pertaining thereto, except for the purpose of repairing or replacing it, or for the purpose of effecting accessory repairs to the motor car, or with the permission in writing of the Provincial Motor Transport Controller or the Central Government and in every such case the distributor, dealer or sub-dealer, as the case may be, shall replace the part, accessory, tyre or tube so removed by a similar article not less serviceable than the original article.

11. <sup>2</sup>(1) No person other than a dealer or sub-dealer to whom a controlled motor car may be sold or otherwise disposed of under clause 9(3) (a) or (b) shall purchase or otherwise acquire, or attempt to purchase or otherwise acquire, a controlled motor car, except a controlled motor car which has remained unsold in the show-room of a dealer or sub-dealer for over 45 days and to which the proviso in clause 9(3) (c) applies, save in accordance with a sale order issued in his favour.

(2) No person shall have in his possession or under his control any controlled motor car that has not come into his hands in accordance with the provisions of this Order or a similar Order for the time being in force in an administered area or an Indian State.

(3) Save as otherwise provided by an order in writing of the Central Government no agreement of hire purchase shall be effected or be effective in relation to a controlled motor car.

<sup>1</sup>Inserted by notification No. 9-LVC(16)/45, dated the 16th February 1946.

<sup>2</sup>Substituted by notification No. 9-LVC(16)/45, dated the 5th January 1946.

11A. No sale order shall be valid, unless it is supported by a letter of authorisation, as set out in the Eleventh Schedule to this Order, issued by the War Transport Department of the Government of India. On completion of a sale, the dealer or the sub-dealer, as the case may be, shall retain the letter of authorisation and submit it to the War Transport Department of the Government of India with the monthly account of sales prescribed in clause 14A (2) of this Order.

12. (1) Part I of every sale order shall be retained by the Provincial Motor Transport Controller. The entries in <sup>2</sup>[Parts II, III and IV] of the sale order shall be appropriately filled in by the Provincial Motor Transport Controller, the dealer or the sub-dealer and the person in whose favour the order is made.

(2) Part II of the sale order shall be retained by the dealer or sub-dealer as his record of authority for the sale. Parts III and IV shall be delivered by the person in whose favour the order is made to the registering authority with his application for registration.

<sup>1</sup>12A. When a controlled motor car is sold without a sale order, under the proviso to clause 9(3)(c), the dealer or sub-dealer, as the case may be, shall fill in the appropriate portions of Parts I, II and III of a sale memorandum in the forms set out in the Eighth Schedule to this Order, and shall deliver Parts II and III to the purchaser. Part I of the memorandum shall be retained by the dealer or sub-dealer. The sale memoranda issued by a dealer or sub-dealer shall be serially numbered.

<sup>2</sup>13. Notwithstanding anything to the contrary in Chapter III of the Act, the following provisions shall apply in regard to the registration of a controlled motor car:—

(1) The applicant for registration shall attach to his application—

(a) Parts III and IV of the sale order; or,

(b) if the controlled motor car has been purchased under the proviso to clause 9(3)(c), Parts II and III of the sale memorandum, referred to in clause 12A;

duly filled in.

(2) The registering authority shall not register any motor car, which he knows or has reason to believe to be a controlled motor car, unless Parts III and IV of the sale order or Parts II and III of the sale memorandum relating thereto, as the case may be, are produced before him.

(3) A controlled motor car shall not be registered in the name of any person other than the person in whose favour the sale order relating thereto is made, or the person named in the sale memorandum relating thereto as the person to whom the controlled motor car has been sold under the proviso to clause 9(3)(c).

(4) If the registering authority is satisfied that the controlled motor car may properly be registered, he shall, subject to the provisions of this Order, proceed to register it in accordance with the provisions of the Act, duly completing Parts III and IV of the sale order, or Parts II and III of the sale memorandum, as the case may be, and shall—

(a) firmly attach Part III of the sale order or Part II of the sale memorandum to the certificate of registration; and

(b) return Part IV of the sale order to the authority which issued it; or, as the case may be.

<sup>1</sup>Inserted by notification No. 9-LVC(16)/45, dated the 5th January, 1946.

<sup>2</sup>Substituted, *ibid*.

<sup>3</sup>Inserted, *ibid*.

- (c) forward Part III of the sale memorandum to the Provincial Motor Transport Controller of the Province in which the main business premises of the dealer or the sub-dealer, as the case may be, are situated.

14. No person shall transfer or attempt to transfer to any other person any sale order issued in his favour.

14A. (1) Every dealer and every sub-dealer shall maintain a record in the form set out in the Ninth Schedule to this Order, showing particulars of the controlled motor cars, which are ready for sale and delivery, placed in his show-room, and their disposal, and shall forward to the Provincial Motor Transport Controller of the Province in which his main business premises are situated, on the 1st and the 16th day of each month an extract from this record showing the entries made in the first seven columns during the period from the 16th day to the end of the previous month and the period from the 1st to the 15th day of the month respectively :—

(2) Every distributor, every dealer and every sub-dealer shall furnish by the 7th day of each month to the War Transport Department of the Government of India and to the Provincial Motor Transport Controller of the Province in which his main business premises are situated an account of the receipts and sales by him of controlled motor cars during the previous month in the form set out in the Tenth Schedule to this Order, duly completing all annexures thereto.

15. (1) Every distributor and every dealer shall keep such '[others]' records and furnish such '[others]' returns, in relation to controlled motor cars as the Central Government may from time to time by general or special order require.

(2) Every sub-dealer shall keep such '[others]' records and furnish such '[others]' returns in relation to controlled motor cars as the Provincial Motor Transport Controller may from time to time by general or special order require.

16. Every distributor, dealer or sub-dealer shall produce for inspection by any person authorised in writing in this behalf by the Central Government or the Provincial Motor Transport Controller at any reasonable time any controlled motor car in his possession, and any accounts, books or such other records that are maintained or are required to be maintained under clause 15.

17. Any officer empowered in this behalf by the Central Government or by the Provincial Government may, with a view to securing compliance with this Order—

- (a) require a distributor, dealer or sub-dealer to furnish information relating to his business in motor cars;
- (b) inspect or cause to be inspected any books or other documents belonging to a distributor, dealer or sub-dealer;
- (c) enter and search, or authorise any person to enter and search, the business premises of a distributor, dealer or sub-dealer; and
- (d) seize, or authorise any person to seize, any article in respect of which the officer has reason to believe that a contravention of this Order has been committed and any books or other documents which are in his opinion relevant to prove the contravention, and thereafter take or authorise the taking of all measures necessary for securing the production of the article and documents in a Court.

18. Where any controlled motor car is sold, offered for sale or otherwise disposed of in contravention of any of the foregoing clauses, by a distributor, dealer or sub-dealer, through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention, the distributor, dealer or sub-dealer, as the case may be, and any person having charge, on behalf of the distributor, dealer or sub-dealer, of the place where the contravention occurred, shall be deemed to have contravened the said provision or provisions of this Order.

<sup>1</sup>18A. If a person whose place of business is in British India is appointed under an order of like effect as this Order for the time being in force in any Indian State or in an Administered Area to be a dealer for an area included in such State or Administered Area, this Order shall have effect in relation to things done in British India as though the dealer were a dealer appointed under this Order and as though anything done by a competent authority under the order in force in such State or Administered Area had been done by the competent authority under this Order.

19. If in the opinion of the Central Government any distributor has—

- (a) contravened any of the provisions of this Order or of the Used Motor Vehicles Control Order, 1944, or of the Motor Vehicles Spare Parts Control Order, 1944, or of any other order under the Defence of India Rules relating to motor vehicles or motor vehicles spare parts; or
- (b) made a false declaration or statement in relation to any transaction in controlled motor vehicles or controlled spare parts; or
- (c) committed any breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation or maintenance of transport vehicles; or
- (d) been declared an insolvent; or
- (e) otherwise shown himself unfit to continue as a distributor the Central Government may, without prejudice to any other action that may be taken against him, direct the removal of his name from the Second Schedule to this Order whereupon such person shall cease to be a distributor, for purposes of this Order.

20. Any Court trying a contravention of this Order may direct that any motor car in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

21. The Central Government may by general or special Order exempt any motor car or class of motor cars from all or any of the provisions of this Order.

### **First Schedule.**

[ Clause 2 (b). ]

*Descriptions of Motor Cars to which this Order applies.*

[ Not printed here. ]

### **Second Schedule.**

[ Clause 2 (d). ]

*List of Distributors.*

[ Not printed here. ]

---

<sup>1</sup>Inserted by Notification No. 9-LVC(16)/45, dated the 22nd September, 1945.

**Third Schedule.**[See clause 2(*l*).]

[Not printed here.]

**Fourth Schedule.**[Clauses 2(*c*) and 2(*k*).]

[Not printed here.]

**Fifth Schedule.**

(Clause 5.)

[Not printed here.]

**Sixth Schedule.**

(Clause 7.)

[Not printed here.]

**Seventh Schedule.**[See clause 2(*l*).]

[Not printed here.]

**Eighth Schedule.**

(Clause 12A.)

[Not printed here.]

**Ninth Schedule.**[Clause 14A(*l*).]

[Not printed here.]

**Tenth Schedule.**[Clause 14A(*2*).]

[Not printed here.]

**Eleventh Schedule.**

(Clause 11A.)

[Not printed here.]



*Notification No. 9-LVC(2)/46, dated the 9th February, 1946, (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. 1A; p. 60).*

In pursuance of clause 6 of the Civil Motor Cars Control Order, 1945, the Central Government is hereby pleased to specify the maximum retail prices of the control motor car of the makes and types described below:—

Makes and Types.	Maximum Retail price.	
	Rs.	
Morris 8 H.P. 2-door Fixed Head Saloon	5,525	} At main ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors whose main place of business is away from the main ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate, if moved by rail or sea, or at rates sanctioned by the Central Government from time to time, if moved by road.
Morris 8 H. P. 2-door Sliding Head Saloon	5,700	

These prices are *provisional*, and will be applicable only until final prices are notified.

*Notification No. 9-LVC(4)/46, dated the 23rd February, 1946 (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. 1A, p. 61).*

In pursuance of clause 6 of the Civil Motor Cars Control Order, 1945, the Central Government is hereby pleased to specify the maximum retail prices of the controlled motor cars of the makes and types described below:—

Serial No.	Makes and Types.	Maximum retail price.	
		Rs.	
1	Standard, 8 H. P. Open Tourer	5,200	} At main ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors whose main place of business is away from the main ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate, if moved by rail or sea, or at rates sanctioned by the Central Government from time to time, if moved by road.
2	Standard, 8 H. P. De Luxe, Saloon	5,400	
3	Standard, 8 H. P. Drophead, Coupe	5,950	
4	Standard, 14 H. P., De Luxe, Saloon	7,700	
5	Austin, 8 H. P., Sunshine, De Luxe, Saloon.	5,675	
	Austin, 10 H. P., Fixed Head Saloon other than those imported on Government account and distributed through M/s Autocars, Ltd., Bombay, Austin Distributors, Ltd., Calcutta, and South Indian Motor Co. Madras, and through their dealers.	6,680*	*This price supersedes the provisional price of Rs. 7,290 fixed under this Department Notification No. 9-LVC(38)/45-II, dated the 26th January 1946.

*Notification No. 9-LVC(6)/46, dated the 2nd March, 1946 (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. 1A, p. 62).*

In pursuance of clause 6 of the Civil Motor Cars Control Order, 1945, the Central Government is hereby pleased to specify the maximum retail price of the controlled motor car of the make and type described below :—

Make and type.	Maximum retail price.	
Rs.		
Jaguar, 1½ litre Saloon ..	11,820	At main ports of importation, <i>plus</i> octroi paid, if any, and, in the case of distributors whose main place of business is away from the main Ports, <i>plus</i> also transit insurance charges and transportation charges from the Port of importation at goods freight rate, if moved by rail or sea or at rates sanctioned by the Central Government from time to time, if moved by road.

*Notification No. 9-LVC(10)/46, dated the 16th March, 1946 (published in the "Calcutta Gazette" of the 21st March, 1946, Pt. 1A, p. 65).*

In pursuance of clause 6 of the Civil Motor Cars Control Order, 1945, the Central Government is hereby pleased to specify the maximum retail prices of the controlled motor cars of the make and types described below :—

Make and type.	Maximum retail price.	
Rs.		
Ford, 8 H.P., "Anglia" Standard Single Entrance Saloon, equipped with oil bath air cleaner.	5,695	} At main ports of importation, Bombay, Karachi, Madras and Calcutta.
Ford, 10 H.P., "Perfect" Standard Double Entrance Saloon, equipped with leather trim and oil bath air cleaner.	6,485	

The prices are *provisional*, and will be applicable only until final prices are notified.

*Notification No. LV7(4)/43, dated the 12th January, 1944 (published in the "Gazette of India" of the 15th January, 1944, Pt. I, p. 62).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order :—

1. (1) This Order may be called the Civil Motor Transport Vehicles Control Order, 1944.

(2) It applies to all motor vehicles of the description given in the First Schedule to this Order which have been or may hereafter be released for

civil use under orders of the Central Government including all vehicles to which the Lease/Lend Vehicles Control Order, 1943, applied immediately, before the commencement of this Order.

(3) It extends to the whole of British India.

(4) It shall come into force on the first day of February 1944.

2. The Lease/Lend Vehicles Control Order, 1943, is hereby repealed :

Provided that all appointments made, proceedings commenced and action taken under any provision of that Order shall be continued and so far as may be, shall be deemed to have been respectively made, commenced, or taken under the corresponding provisions of this Order.

3. In this Order :—

(a) "the Act" means the Motor Vehicles Act, 1939 (IV of 1939);

(b) "controlled motor vehicle" means any vehicle to which this Order applies;

(c) "dealer" means any person whose name is for the time being specified in the Second Schedule to this Order;

(d) "distributor" means in respect of Chevrolet motor vehicles, the General Motors India, Ltd., and in respect of Ford Motor vehicles, the Ford Motor Company of India, Ltd.;

<sup>1</sup>[(e) The "Provincial Motor Transport Controller" in relation to a Province means the Officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order.]

(f) "registering authority" means the authority empowered to register motor vehicles under Chapter III of the Act;

(g) "sale order" means an order in the form set out in the Third Schedule to this Order issued by a Provincial Motor Transport Controller;

(h) "sub-dealer" means any person notified as such by the Provincial Motor Transport Controller under clause 4 and authorised to deal with controlled motor vehicles in a specified area.

4. A Provincial Motor Transport Controller may by notification in the Official Gazette declare any person to be a sub-dealer for the purposes of this Order within such area as may be specified in the notification.

5. (1) Save as provided in sub-clauses (2) and (3) no distributor, dealer or sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled motor vehicle.

(2) The Central Government may by special order require any distributor, dealer or sub-dealer to sell or otherwise dispose of any controlled motor vehicle in his possession in such manner as may be specified in the Order; and the distributor, dealer or sub-dealer, as the case may be, shall comply with such requirement.

(3) Subject to any order made under sub-clause (2) and to such general or special instructions, as the Central Government may from time to time issue for securing a proper distribution, a controlled motor vehicle may be sold or otherwise disposed of—

(a) by a distributor to a dealer; or

(b) by a dealer to a sub-dealer within the dealer's area of supply;

(c) by a dealer or sub-dealer in accordance with a sale order.

<sup>1</sup>Substituted by Notification No. 7-LV(15)/45, dated the 30th June, 1945.

(4) No dealer or sub-dealer shall without good, and sufficient cause fail to comply with any sale order issued upon him and presented by the person named therein.

(5) No dealer or sub-dealer shall, as a consideration for the sale or disposal by him of a controlled motor vehicle—

(a) take, or make allowance for, any other motor vehicle save in accordance with the written orders of the Provincial Motor Transport Controller;

(b) demand or receive any amount or other consideration in excess of the price specified in the sale order.

(6) No person in possession of a controlled motor vehicle, not being a distributor, dealer or sub-dealer, shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled motor vehicle save in accordance with the written orders of the Provincial Motor Transport Controller.

(7) No person shall purchase, or otherwise acquire, a controlled motor vehicle save in accordance with the provisions of this Order.

(8) No person shall have in his possession or under his control any controlled motor vehicle that has not come into his hands in accordance with the provisions of this Order or a similar Order for the time being in force in an administered area or an Indian State.

(9) Save as otherwise provided by an order in writing of the Central Government no controlled motor vehicle shall be pledged or offered or accepted as security for any loan or other financial transaction, and no agreement of hire-purchase shall be effected or be effective in relation to any such vehicle.

6. Part I of every sale order shall be retained by the Provincial Motor Transport Controller. The entries in Parts II, III and IV shall be appropriately filled in by the Provincial Motor Transport Controller, the dealer or sub-dealer and the person in whose favour the order is made. Part II shall be retained by the dealer or sub-dealer as his record of authority for the sale. Parts III and IV shall be delivered by the person in whose favour the order is made to the Registering Authority.

7. (1) Notwithstanding anything to the contrary in Chapter III of the Act the following provisions shall apply in regard to the registration of a controlled motor vehicle.

(2) The applicant for registration shall attach to his application Parts III and IV of the sale order duly filled in.

(3) The Registering Authority shall not register any vehicle which he knows or has reason to believe to be a controlled motor vehicle unless Parts III and IV of the sale order are duly produced before him.

(4) It shall not be necessary for the applicant to produce Form F as set forth in the First Schedule to the Act.

(5) A controlled motor vehicle shall not be registered in the name of any person other than the person named in the sale order.

(6) Save as otherwise provided by an order in writing of the Central Government, no note relating to any transaction of hire-purchase shall be entered on the certificate of registration in Form G as set forth in the First Schedule to the Act.

(7) If the Registering Authority is satisfied that the controlled motor vehicle may properly be registered he shall, subject to the provisions of this Order, proceed to register it in accordance with the provisions of and under the Act, duly completing Parts III and IV of the sale order, and shall—

- (a) firmly attach Part III of the sale order to the certificate of registration;
- (b) endorse the certificate of registration with the warning set out in the Fourth Schedule to this order; and
- (c) complete Part IV of the sale order and return it to the authority which issued it.

(8) The figures and letters of the registration mark of a controlled motor vehicle shall be in yellow upon a black ground, and there shall follow, or be placed below, the mark, in letters and figures of two-thirds the size of those in the registration mark, the letter C followed by the serial number of the sale order relating to the vehicle.

(9) The registering authority having jurisdiction at any place from which a controlled motor vehicle is issued by a distributor—

- (a) shall, on demand by the distributor, dealer or other competent person, register the vehicle temporarily in accordance with section 25 and the Sixth Schedule of the Act and the rules thereunder; and
- (b) may, if he thinks fit, substitute for the Form of temporary registration required under the Act, the Form set out in the Fifth Schedule to this order.

(10) The Registering Authority issuing a certificate of temporary registration may also issue a temporary permit in the Form set out in the Sixth Schedule to this Order, and a temporary permit so issued shall be valid throughout British India without counter-signature for the period specified therein.

8. No person shall transfer or attempt to transfer to any other person any sale order issued in his favour, and no person shall obtain or attempt to obtain any controlled motor vehicle save in accordance with a sale order issued in his favour.

9. The registered owner for the time being of any controlled motor vehicle shall comply with any written order of the Provincial Motor Transport Controller requiring him—

- (a) to insure the vehicle against all or any specified risks;
- (b) to fit a producer gas plant and to operate the vehicle on producer gas.

<sup>1</sup>9A. No dealer or sub-dealer, and no person who fits a producer gas plant to a controlled motor vehicle shall, save in accordance with the orders in writing of the Provincial Motor Transport Controller—

- (a) demand or receive payment in excess of Rs. 100 in respect of the work of fitting of a producer gas plant, inclusive of cost of materials required for such fitting, to a controlled vehicle; or
- (b) demand or receive any payment or other consideration in excess of Rs. 25 in respect of or in relation to the recommending by him of any producer gas plant for fitment to any controlled motor vehicle.

10. No registered owner of a controlled motor vehicle registered in British India shall remove it or cause or allow it to be removed outside British India, and no driver of such vehicle shall remove the vehicle outside British India otherwise than in accordance with the general or specific permission in writing of the Provincial Motor Transport Controller.

11. Any person having in his possession or custody or under his control any controlled motor vehicle, shall, on being required so to do by an order in writing of the Central Government or the Provincial Motor Transport Controller, deliver it in accordance with the order.

12. Every dealer and every sub-dealer shall keep such records, and furnish such returns, in relation to controlled motor vehicles as the Central Government or the Provincial Motor Transport Controller may from time to time by general or special order require.

13. Every dealer and every sub-dealer shall produce for inspection by any person authorised in writing in this behalf by the Provincial Motor Transport Controller at any reasonable time any controlled motor vehicle in his possession and any accounts, books, or other records that the Provincial Motor Transport Controller may by order in writing specify.

14. If in the opinion of the Central Government any dealer has—

- (a) contravened any of the provisions of this Order, or of the Motor Vehicle Spare Parts Control Order, 1943, or of any other Order under the Defence of India Rules in respect of any motor vehicle spare part or accessory; or
- (b) made any false declaration or statement in relation to any transaction in respect of controlled motor vehicles or controlled spare parts; or
- (c) committed a breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation or maintenance of transport vehicles; or
- (d) been declared an insolvent;
- (e) otherwise shown himself unfit to continue as a dealer, under the provisions of this Order,

the Central Government may, without prejudice to any other action that may be taken against any such dealer, direct the removal of his name from the Second Schedule to this Order, and the Provincial Motor Transport Controller may, for like reasons, cancel any notification declaring any person to be a sub-dealer; whereupon such person shall cease to be a dealer or, as the case may be, sub-dealer for the purposes of this Order.

15. A motor vehicle which has been released for civil use in an Administered Area or an Indian State in accordance with a law in force in that Administered Area or State of like purport to this Order, shall, when the vehicle is in British India, be deemed to be a controlled motor vehicle for the purposes of this Order:

Provided that nothing in this sub-clause shall prevent the removal of such a vehicle from British India in the course of its lawful employment.

16. Any Court trying a contravention of this Order may direct that any motor vehicle in respect of which the Court is satisfied that this Order has been contravened, shall be forfeited to His Majesty.

17. The Central Government may by general or special order exempt any motor vehicle or class of motor vehicles from all or any of the provisions of this Order.

**First Schedule.**

[See clause 1(2).]

Types of motor vehicles to which this Order applies—

Chevrolet—160 inch and 115 inch wheel base.

Ford—158 inch, 134 inch, 122 inch and 114 inch wheel base.

**Second Schedule.**

[See clause 3(c).]

**LIST OF DEALERS.**

[For list of dealers see "Gazette of India" of the 15th January, 1944, Pt. I, p. 62.]

**Third Schedule.**

[See clause 3(g).]

*Transport Vehicles Control Order, 1944.***SALE ORDER, PART I.**

Office of Provincial Motor Transport Controller.

No.....Date.....

To .....

Subject to tender of payment, and to your having in your possession a motor vehicle not reserved for disposal in accordance with a prior order issued by me, you are hereby directed to deliver to.....

to whom this order has been given, a controlled motor vehicle  
lorry with goods body  
 chassis as follows :—

Make.....wheel-base.....inches  
 at the following price: Chassis as issued by distributors Rs.....  
 Body Rs.....Total Rs.....plus delivery charges at sanctioned  
 rates to be endorsed by you at the time of sale on Parts II, III and IV of  
 this sale order.

Parts III and IV of this sale order are to be duly filled in by you at the time of sale and to be delivered to the purchaser.

Take notice that if you demand or receive any payment or consideration in excess of the said sum of Rs.....plus delivery charges at sanctioned rates you render yourself liable to disqualification for handling the material and to prosecution under the Defence of India Rules.

**INSTRUCTIONS.**

If on the expiry of ten days after the issue by you of a notice that a vehicle is available for delivery against this order, the person named herein shall have failed to tender to you the price named and delivery charges this order shall be void. If having deposited the purchase money and delivery

charges in full the purchaser fails to take delivery of the vehicle you shall after the expiry of one week after the money has been deposited be entitled to recover storage charges at the rate of ten rupees per day.

.....  
*Provincial Motor Transport Controller.*

Counterfoil to be retained in the office of issue.

### SALE ORDER, PART II.

Office of Provincial Motor Transport Controller.

No.....Date.....

To .....

.....  
 Subject to tender of payment, and to your having in your possession a motor vehicle not reserved for disposal in accordance with a prior order issued by me, you are hereby directed to deliver to.....

to whom this order has been given, a controlled motor vehicle  
lorry with goods body  
chassis as follows :—

Make.....wheel-base.....inches  
 at the following price: Chassis as issued by distributors. Rs.....  
 Body Rs.....Total Rs.....plus delivery charges at sanctioned rates to be endorsed by you at the time of sale on Parts II, III and IV of this sale order.

Parts III and IV of this sale order are to be duly filled in by you at the time of sale and to be delivered to the purchaser.

Take notice that if you demand or receive any payment or consideration in excess of the said sum of Rs.....plus delivery charges at sanctioned rates you render yourself to disqualification for handling the material and to prosecution under the Defence of India Rules.

### INSTRUCTIONS.

If on the expiry of ten days after the issue by you of a notice that a vehicle is available for delivery against this order, the person named herein shall have failed to tender to you the price named and delivery charges this order shall be void. If having deposited the purchase money and delivery charges in full the purchaser fails to take delivery of the vehicle you shall after the expiry of one week after the money has been deposited be entitled to recover storage charges at the rate of ten rupees per day.

*Provincial Motor Transport Controller.*

Copy to be retained by dealer, who is to complete entries on reverse and obtain signature of purchaser.



## SALE ORDER, PART III.

Office of Provincial Motor Transport Controller.

No.....Date.....

An order bearing the above number and date has been issued by me upon.....

Dealer.....

directing him/them to sell a controlled motor vehicle lorry with goods body  
as follows:— chassis

Make.....wheel-base.....

To.....

for payment not exceeding Rs.....  
plus delivery charges at sanctioned rates.

Provincial Motor Transport Controller.

Sold on.....

to.....

Chassis No.....Engine No.....

C. C. No.....Wheel-base.....inches

C. F. Price with goods body Rs.....  
withoutDelivery charges by rail  
road from.....  
sea

Recovered Rs.....

Dealer.

I/We.....of.....

declare that I/we am/are aware of the provisions of the Transport Vehicles Control Order, 1944, and in consideration of having been allowed to buy the controlled motor vehicle above described I/we agree and undertake to abide by the provisions thereof; and further agree and undertake that I/we will abide by any direction given to me/us at any time by competent authority regarding the fitting and using of a producer gas plant and generally regarding the use of the vehicle anywhere in India and its insurance; that I/we will maintain the vehicle in sound mechanical condition or cause it to be so maintained; that I/we will not cause or suffer it at any time to be loaded in excess of the authorised load or to be given in excess of authorised speed; that the Government of India have the right to resume possession of the vehicle on breach by me/us of any of the above conditions, or otherwise, at Government valuation and that I/we will forthwith surrender the vehicle on demand by competent authority.

[Witness.....]  
Designation and address of witness.....]

Signed.....  
Registered Owner(s).

Date.....

The vehicle has been registered by me as.....  
on.....

Registering Authority.

Date.....

To be pasted into the Registration Book.

### SALE ORDER, PART IV.

Office of Provincial Motor Transport Controller.

No.....Date.....

An order bearing the above number and date has been issued by me upon.....  
dealer.....  
directing him/them to sell a controlled motor vehicle lorry with goods body  
as follows:— chassis

Make.....Wheel-base.....  
To.....  
for payment not exceeding Rs.....  
plus delivery cahrges at sanctioned rates.

Provincial Motor Transport Controller.

In accordance with the said order I/we have on.....  
sold to.....

a lorry with goods body wheel-base.....  
chassis

inches.....  
Chassis No.....

Engine No..... C. S. No.....  
C. F.

for Rs.....  
delivery charges by rail from.....  
road  
sea

recovered Rs.....

Date..... Dealer.

The above is a true statement.

Purchaser.

Date.....

\*Inserted by Notification No. LV-7 (4)/43, dated the 19th September, 1944.

\*Deleted by Notification No. LV-7 (4)/43, dated the 19th September, 1944.

## SALE ORDER, PART IV Reverse.

I/We.....of.....  
 declare that I/we am/are aware of the provisions of the Transport Vehicles Control Order, 1944, and in consideration of having been allowed to buy the controlled motor vehicles described on the obverse I/we agree and undertake to abide by the provisions thereof; and further agree and undertake that I/we will abide by any direction given to me/us at any time by competent authority regarding the fitting and using of a producer gas plant and generally regarding the use of the vehicle anywhere in India and its insurance; that I/we will maintain the vehicle in sound mechanical condition or cause it to be so maintained; that I/we will not cause or suffer it at any time to be loaded in excess of the authorised load or to be driven in excess of authorised speed; that the Government of India have the right to resume possession of the vehicle on breach by me/us of any of the above conditions, or otherwise, at Government valuation and that I/we will forthwith surrender the vehicle on demand by competent authority.

<sup>1</sup>[Witness.....  
 Designation and address of witness.....]

Signed.....  
*Registered Owner(s).*

Date.....  
 \* \* \* \* \*

The vehicle has been registered by me as.....  
 (Registration mark assigned) on.....

Part III of this Order has been pasted by me into the Registration Book issued in respect of the motor vehicle described in this Part. I have also caused the necessary endorsement required by clause 7(7)(b) of the Transport Vehicles Control Order, 1944, to be made within the Registration Book.

Returned to the Provincial Motor Transport Controller.....

*Registering Authority.*

Date.....

## SALE ORDER, PART II Reverse.\*\*

In accordance with this order I/we have on.....  
 sold to.....

lorry with gods body chassis wheel-base.....

Chassis No.....

Engine No.....

C.C./C.F. No.....

plus delivery charges by  $\frac{\text{rail}}{\text{road}}$  from.....  
 $\frac{\text{sea}}$

Rs.....

*Dealer.*

Date.....

The above statements are correct.

*Purchaser.*

Date.....

<sup>1</sup>Inserted by Notification No. LV-7 (4)/43, dated the 19th September, 1944.

<sup>2</sup>Deleted by Notification No. LV-7 (4)/43, dated the 19th September, 1944.

*Endorsement to be made on Certificates of Registration of Controlled Motor Vehicles.*

1. The vehicle herein described is a "controlled motor vehicle" under the provisions of the Civil Motor Transport Vehicles Control Order, 1944. This Order is made under rule 81 of the Defence of India Rules. Contravention of any provision of this Order is punishable with imprisonment for a term which may extend to three years or with fine or both.

3. The Court trying a contravention of the provisions of the said Order may direct that any vehicle in respect of which the Court is satisfied that any such provision has been contravened shall be forfeited to His Majesty.

*Certificate of Temporary Registration.*

- |              |        |                               |
|--------------|--------|-------------------------------|
|              | Size.  | Manufacturer's serial number. |
| Front Wheels | 1..... | .....                         |
|              | 2..... | .....                         |
| Rear „       | 1..... | .....                         |
|              | 2..... | .....                         |
|              | 3..... | .....                         |
|              | 4..... | .....                         |
| Spare Wheel  | .....  | .....                         |

- Date*.....

**Signed**.....

**Registering Authority.**

**Sixth Schedule.**

[See clause 7(10).]

*Temporary Permit.*

So long as the above temporary registration is valid, the transport vehicle above described may be driven from.....to.....  
via.....

as a public carrier\*

as a private carrier\*

without load\*

Date.....

Signed.....

*Registering Authority.*

\*Strike out inapplicable.

*Notification No. LV7(4)/43, dated the 17th August, 1944 (published in the "Gazette of India" of the 19th August, 1944, Pt. I, p. 1102).*

In exercise of the powers conferred by clause 17 of the Civil Motor Transport Vehicles Control Order, 1944, and in supersession of the notification of the Government of India in the War Transport Department, No. LV7(4)/43, dated the 29th June, 1944, the Central Government is pleased to exempt the motor vehicles the disposal of which is regulated by special orders issued by the Central Government in the War Transport Department under sub-rule (2) of rule 81 of the Defence of India Rules, from the following provisions of the said Order:—

"Sub-clause (6) of clause 5, clause 6, sub-clauses (2), (8) and (5) of clause 7, all provisions in sub-clauses (7) and (8) of clause 7 relating to sale orders, and clauses 7A and 8."

*Notification No. 7-LV(17)/45, dated the 11th August, 1945 (published in the "Gazette of India" of the 18th August, 1945, Pt. I, p. 1112).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order and to direct, with reference to sub-rule (1) of rule 119 of the said Rules, that notice of the Order shall be given by publication of the same in the official Gazettes of the Government of India and of the Provincial Government and by the issue of a press note indicating the nature of the Order, and the fact of its publication in the *Gazette of India*:—

1. (1) This Order may be called the Commercially Imported Transport Motor Vehicles Control Order, 1945.

(2) It shall come into force at once.

(3) It extends to the whole of British India.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "the Act" means the Motor Vehicles Act, 1939 (IV of 1939),

- (b) "commercially imported transport motor vehicle" means any <sup>1</sup>[transport] motor vehicle of the description given in the First Schedule to this Order, imported commercially into India for civil use on or after the date on which this Order comes into force.
- (c) "dealer" means any person appointed as such under clause 3 or clause 4 of this Order;
- (d) "distributor" means any person whose name is for the time being specified in the Second Schedule to this Order;
- (e) "offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a transport motor vehicle made by the publication of a price list, by exposing the transport motor vehicle for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever;
- (f) "Provincial Motor Transport Controller" in relation to a Province means the officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order;
- (g) "registering authority" means the authority empowered to register motor vehicles under Chapter III of the Act;
- (h) "sale order" means an order in the form set out in the Third Schedule to this Order issued by a Provincial Motor Transport Controller;
- (i) "sub-dealer" means a person appointed as such under clause 3 or clause 4 of this Order;

2\* \* \* \* \*

<sup>2</sup>[(j)] "Administered Area" means any of the territories set out in the Ninth Schedule to this Order.

3. (1) A distributor may, by a written order in the form set out in the Fifth Schedule to this Order, appoint, in respect of such areas as the order may specify, one or more dealers or sub-dealers for commercially imported transport motor vehicles of any make or makes for which he is a distributor.

(2) The distributor may at any time by a written order revoke or modify any such order of appointment made by him.

(3) The distributor shall forward a copy of every order made under sub-clause (1) or sub-clause (2) to the War Transport Department of the Government of India and to the Provincial Motor Transport Controller having jurisdiction in the area or areas in respect of which the order is made.

4. The Central Government may, by an order in writing, appoint dealers and sub-dealers in addition to those appointed under clause 3 of this Order and may, by an order in writing, revoke or modify such an order of appointment.

5. <sup>3</sup>[Every distributor importing "commercially imported transport motor vehicles" from outside India, shall submit by the 7th day of every month] a return in the form set out in the Sixth Schedule to this Order, to the Central Government in the War Transport Department and to the Provincial Motor Transport Controller having jurisdiction in the area in which his main business premises are situated furnishing details of the number and type of such vehicles.

<sup>1</sup>Inserted by Notification No. 7-LVC(17)/45, dated the 16th February, 1946.

<sup>2</sup>Sub-clause (j) was omitted and sub-clause (k) was re-numbered as sub-clause (j), *ibid.*

<sup>3</sup>Substituted, *ibid.*

6. The Central Government may by notification in the official Gazette specify the maximum retail price of any class of commercially imported transport motor vehicles and may by general or special order regulate the prices at which and the conditions subject to which commercially imported transport motor vehicles may be sold by a distributor to a dealer or by a dealer to a sub-dealer.

7. Every dealer or sub-dealer shall, by notice in the form set out in the Seventh Schedule to this Order, prominently exhibited on his business premises, indicate the maximum retail prices specified under clause 6 in respect of each make and type of commercially imported transport motor vehicles kept by him for sale.

8. (1) No person shall sell or transfer, or offer to sell or transfer, any commercially imported transport motor vehicle at a price exceeding the maximum retail price specified by the Central Government under clause 6, nor shall he demand or receive any other consideration in excess of that price:

Provided that a dealer or sub-dealer may, <sup>1</sup>\* \* charge, in addition to the maximum retail price, such items of delivery charges from the premises of the distributor to the premises of the dealer or sub-dealer, as the case may be, as may be sanctioned by the Central Government from time to time.

(2) No person shall, as a consideration for the sale, transfer or disposal by him of a commercially imported transport motor vehicle take, or make allowance for, any other motor vehicle save in accordance with the written orders of the Provincial Motor Transport Controller.

<sup>2</sup>9. (1) Save as provided in sub-clauses (2) and (3), no distributor, dealer or sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any unused commercially imported transport motor vehicle.

(2) The Central Government may by a special order require any distributor, dealer or sub-dealer and a Provincial Motor Transport Controller may require any dealer or sub-dealer, any portion of whose business territory lies within his jurisdiction, to sell or otherwise dispose of any unused commercially imported transport motor vehicle in his possession in such manner as may be specified in the order; and the distributor, dealer or sub-dealer, as the case may be, shall comply with the order.

(3) Subject to any order made under sub-clause (2) an unused commercially imported transport motor vehicle may be sold or otherwise disposed of:—

- (a) by a distributor to a dealer or sub-dealer; or
- (b) by a dealer to any other dealer or to a sub-dealer; or
- (c) by a dealer or sub-dealer in accordance with a sale order:

Provided that if any unused commercially imported transported motor vehicle has been lying in the show-room of a dealer or sub-dealer ready for sale and delivery, for more than 45 days, the dealer or sub-dealer, as the case may be, may sell or otherwise dispose of that commercially imported transport motor vehicle to any person whatsoever, even though a sale order has not been issued in his favour.

<sup>3</sup>*Explanation 1.*—A dealer or a sub-dealer, appointed in accordance with the provisions of an Order of like purport for the time being in force in an Indian State or an Administered Area shall be deemed to be a dealer or a sub-dealer, as the case may be, for the purposes of this clause.

<sup>1</sup>Omitted by Notification No. 7-LVC(17)/45, dated the 16th February, 1946.

<sup>2</sup>Substituted by Notification No. *ibid*, dated the 5th January, 1946.

<sup>3</sup>Inserted by Notification No. *ibid*, dated the 16th February, 1946.

**<sup>1</sup>Explanation 2.**—A sale order issued under the provisions of an Order of like purport as this Order for the time being in force in an Indian State or an Administered Area shall be deemed to be a sale order for the purposes of this clause.

(4) No dealer or sub-dealer shall, without good and sufficient cause, refuse to sell and deliver any unused commercially imported transport motor vehicle on tender of a proper price to a person, holding a sale order issued by a Provincial Motor Transport Controller having jurisdiction in any portion of the business territory of the dealer or sub-dealer.

10. <sup>1</sup>[(1) No person other than a dealer or sub-dealer to whom an unused commercially imported transport motor vehicle may be sold or otherwise disposed of under clause 9 (3) (a) or (b) shall purchase or otherwise acquire, or attempt to purchase or otherwise acquire, an unused commercially imported transport motor vehicle, except an unused commercially imported transport motor vehicle which has remained unsold in the show-room of a dealer or sub-dealer for over 45 days, and to which the proviso in clause 9 (3) (c) applies, save in accordance with a sale order issued in his favour.]

(2) No person shall have in his possession or under his control any commercially imported transport motor vehicle that has not come into his hands in accordance with the provisions of this Order or of a similar Order for the time being in force in an Administered Area or an Indian State.

*[Omitted by Notification No. 7-LVC(17) 45, dated the 15th December 1945.]*

<sup>2</sup>[10A. No sale order shall be valid unless it is supported by a letter of authorisation, as set out in the Fourth Schedule to this Order, issued by the War Transport Department of the Government of India. On completion of a sale, the dealer or the sub-dealer, as the case may be, shall retain the letter of authorisation and submit it to the War Transport Department of the Government of India with the monthly account of sales prescribed in clause 14A (2) of this Order.]

11. (1) Part I of every sale order shall be retained by the Provincial Motor Transport Controller. The entries in Parts II, III and IV of the sale order shall be appropriately filled in by the Provincial Motor Transport Controller, the dealer or the sub-dealer and the person in whose favour the order is made.

(2) Part II of the sale order shall be retained by the dealer or sub-dealer as his record of authority for the sale. Parts III and IV shall be delivered by the person in whose favour the order is made to the registering authority along with his application for registration.

11A. When an unused commercially imported transport motor vehicle is sold without a sale order, under the proviso to clause 9 (3) (c), the dealer or sub-dealer, as the case may be, shall fill in the appropriate portions of Parts I, II and III of a sale memorandum in the form set out in the Eighth Schedule to this Order, and shall deliver Parts II and III to the purchaser. Part of the memorandum shall be retained by the dealer or sub-dealer. Sale Memoranda issued by a dealer or sub-dealer shall be serially numbered.

12. Notwithstanding anything to the contrary in Chapter III of the Act, the following provisions shall apply in regard to the registration of an unused commercially imported transport motor vehicle:—

(1) The applicant for registration shall attach to his application—

(a) Parts III and IV of the sale order, or

<sup>1</sup>Substituted by Notification No. *ibid*, dated 5th January, 1946

<sup>2</sup>Inserted by Notification No. *ibid*, dated the 16th February, 1946.



(b) if the commercially imported transport motor vehicle has been purchased under the proviso to clause 9 (3) (c), Parts II and III referred to in clause 11A, duly filled in.

(2) The registering authority shall not register any motor vehicle, which he knows or has reason to believe to be an unused commercially imported transport motor vehicle, unless Parts III and IV of the sale order or Parts II and III of the sale memorandum relating thereto, as the case may be, are produced before him.

(3) An unused commercially imported transport motor vehicle shall not be registered in the name of any person, other than the person in whose favour the sale order relating thereto is made, or the person named in the sale memorandum relating thereto as the person to whom the commercially imported transport motor vehicle has been sold under the proviso to clause 9 (3) (c).

(4) If the registering authority is satisfied that the commercially imported transport motor vehicle may properly be registered, he shall, subject to the provisions of this Order, proceed to register it in accordance with the provisions of the Act, duly completing Parts III and IV of the sale order, or Parts II and III of the sale memorandum, as the case may be, and shall—

(a) firmly attach Part III of the sale order or Part II of the sale memorandum to the certificate of registration; and

(b) return Part IV of the sale order to the authority which issued it; or

(c) forward Part III of the sale memorandum to the Provincial Motor Transport Controller of the Province in which the main business premises of the dealer or the sub-dealer, as the case may be, are situated.

13. No person shall transfer or attempt to transfer to any other person any sale order issued in his favour.

14. No registered owner of a commercially imported transport motor vehicle registered in British India shall remove it, or cause or allow it to be removed, outside British India, otherwise than in accordance with the general or special permission in writing of the Provincial Motor Transport Controller.

14A. (1) Every dealer and every sub-dealer shall maintain a record in the form set out in the Tenth Schedule to this Order, showing particulars of the unused commercially imported transport motor vehicles, which are ready for sale and delivery, placed in his show-room, and their disposal, and shall forward to the Provincial Motor Transport Controller of the Province in which his main business premises are situated, on the 1st and the 16th day of each month an extract from this record showing the entries made in the first seven columns during the period from the 16th day to the end of the previous month and the period from the 1st to the 15th day of the month respectively.

(2) Every distributor, every dealer and every sub-dealer shall furnish by the 7th day of each month to the War Transport Department of the Government of India and to the Provincial Motor Transport Controller of the Province in which his main business premises are situated, an account of the receipts and sales by him of commercially imported transport motor vehicles for the previous month, in the form set out in the Eleventh Schedule to this Order, duly completing all annexures thereto.

15. (1) Every distributor or dealer shall keep such other records and furnish such other returns in relation to commercially imported transport motor vehicles as the Central Government may from time to time by general or special order require.

(2) Every sub-dealer shall keep such other records and furnish such other returns in relation to commercially imported transport motor vehicles as the Provincial Motor Transport Controller may from time to time by general or special order require.

16. Every distributor, dealer or sub-dealer shall at any reasonable time produce for inspection by any person authorised in writing in this behalf by the Central Government or the Provincial Motor Transport Controller any commercially imported transport motor vehicle in his possession, and any accounts, books and such other records that are maintained or are required to be maintained by him under clause 15.

17. An officer empowered in this behalf by the Central Government or by the Provincial Government may, with a view to securing compliance with this order—

- (a) require any distributor, dealer or sub-dealer to furnish any information the officer may require as to the business in motor vehicles carried on by such distributor, dealer or sub-dealer;
- (b) inspect or cause to be inspected any books or other documents belonging to such distributor, dealer or sub-dealer;
- (c) enter and search, or authorise any person to enter and search, the business premises of such distributor, dealer or sub-dealer; and
- (d) seize, or authorise any person to seize, any article in respect of which the officer has reason to believe that a contravention of this Order has been committed and any books or other documents which are in his opinion relevant to prove the contravention, and thereafter take or authorise the taking of all measures necessary for securing the production of the article and documents in a Court.

18. A transport motor vehicle which has been released for civil use in an Administered Area or an Indian State in accordance with the law in force in that Administered Area or State of like purport to this Order shall, when such vehicle is in British India, be deemed to be a "commercially imported transport motor vehicle" for the purposes of this Order:

Provided that nothing in this clause shall be deemed to prevent the removal of such a vehicle from British India in the course of its lawful employment.

19. Where any commercially imported transport motor vehicle is sold, offered for sale or otherwise disposed of in contravention of any of the foregoing clauses, by a distributor, dealer or sub-dealer, through any person employed by him or acting on his behalf, such person and also, unless he proves that he exercised due diligence to prevent such contravention, the distributor, dealer or sub-dealer, as the case may be, and any person having charge, on behalf of the distributor, dealer or sub-dealer, of the place where the contravention occurred, shall be deemed to have contravened the said provision or provisions of this Order.

20. If in the opinion of the Central Government any distributor has—

- (a) contravened any of the provisions of this Order or of the Civil Motor Cycles Control Order, 1945, or of the Motor Vehicle Spare Parts Control Order, 1944, or of any other order under the Defence of India Rules in respect of any motor vehicle or any motor vehicle spare parts; or

- (b) made any false declaration or statement in relation to any transaction in respect of commercially imported transport motor vehicles, controlled motor vehicles as defined in the Civil Motor Transport Vehicles Control Order, 1944, or controlled spare parts as defined in the Motor Vehicle Spare Parts Control Order, 1944; or
- (c) committed any breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation or maintenance of transport vehicles; or
- (d) been declared an insolvent; or
- (e) otherwise shown himself unfit to continue as a distributor,

the Central Government may, without prejudice to any other action that may be taken against any such distributor direct the removal of his name from the Second Schedule to this Order whereupon such person shall cease to be a distributor for the purposes of this Order.

21. Any Court trying a contravention of this Order may direct that any motor vehicle in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

22. The Central Government may by general or special order exempt any motor vehicle or class of motor vehicles from all or any of the provisions of this Order.

### **First Schedule.**

[Clause 2 (b).]

*Descriptions of Motor Vehicles falling within the definition of Commercially Imported Transport Motor Vehicle.*

Serial No.	Make.	Wheel base.	Description.

### **Second Schedule.**

[Clause 2 (d).]

*List of Distributors.*

[Not printed in this publication.]

### **Third Schedule.**

[See clause 2 (h).]

[Not printed in this collection.]

### **Fourth Schedule.**

[See clause 2 (j).]

[Not printed in this collection.]

**Fifth Schedule.**

(Clause 3.)

*[Not printed in this collection.]***Sixth Schedule.**

(Clause 5.)

*[Not printed in this collection.]***Seventh Schedule.**

(Clause 7.)

*[Not printed in this collection.]***Eighth Schedule.**

[Clause 12 (5) (b).]

*Endorsement to be made on Certificates of Registration of Commercially Imported Transport Motor Vehicles.***WARNING.**

The motor vehicle herein described is a "Commercially Imported Transport Motor Vehicle" under the provisions of the Commercially Imported Transport Motor Vehicles Control Order, 1945. The Order is made under rule 81 of the Defence of India Rules. Contravention of any provision of this Order is punishable with imprisonment for a term which may extend to three years or with fine or both.

2. In particular the registered owner for the time being shall not sell or otherwise dispose of the motor vehicle herein described except in accordance with a Transfer Order granted by the Provincial Motor Transport Controller.

3. The Court trying a contravention of the provisions of the said Order may direct that any motor vehicle in respect of which the Court is satisfied that any such provision has been contravened shall be forfeited to His Majesty.

**Ninth Schedule.***[See clause 2 (k).]*

1. The Cantonment of Baroda.
2. The administered areas in the Western India States Agency specified in the Western India States Administered Areas (Application of Laws) Order, 1937.
3. The administered areas in the Central India Agency specified in the Central India Administered Areas (Application of Laws) Order, 1937.
4. The Gwalior Residency Area.
5. The District of Abu.
6. The administered areas in the Hyderabad State specified in the Hyderabad Administered Areas (Application of Laws) Order, 1937.
7. The Civil and Military Station of Bangalore.
8. The Kolhapur Residency Area and the Wadi Jaghir.

9. The railway lands in the Western India States Agency specified in the notification of the Political Department, Nos. 189-I.B. and 190-I.-B., dated the 8th September 1937.

10. The Rajputana and Central India railway lands specified in the Rajputana and Central India Railway Lands (Application of Laws) Order, 1937.

11. The Punjab States Railway lands specified in the Punjab States Railway Lands (Application of Laws) Order, 1939.

12. The Thana Circles in the Rewa Kalot Agency in the Gujarat States Agency and the Dangs.

13. The British Reserve in Mainpur.

14. The Shillong Administered Areas.

*Notification No. LV7(8)/44, dated the 16th November, 1944 (published in the "Gazette of India" of the 18th November, 1944, Pt. I, p. 1492).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Disposal of Used Government Motor Vehicles Control Order, 1944.

(2) It extends to the whole of British India.

2. In this Order,—

(a) "the Act" means the Motor Vehicles Act, 1939 (IV of 1939);

<sup>1</sup>(b) The "Provincial Motor Transport Controller" in relation to a Province means the Officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other Officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order.

(c) "Registering Authority" means the authority empowered to register motor vehicles under chapter III of the Act;

(d) "used Government motor vehicle" means a motor vehicle disposed of, by the Directorate-General of Disposals;

(e) "motor car" means a motor car as defined in the Act;

(f) "transport vehicle" means a transport vehicle as defined in the Act;

(g) "reconditioner" means the person purchasing a used Government motor vehicle from the Directorate-General of Disposals for purpose of reconditioning the vehicle.

3. No reconditioner shall retain a used Government motor vehicle after it has been duly reconditioned, and no other person shall purchase such vehicle, whether from a reconditioner or other previous purchaser of the same vehicle, except under a permit in Form 1 issued by the Provincial Motor Transport Controller, who may, in the case of a transport vehicle, impose the condition that it shall be fitted with a producer gas plant before it is registered.

---

<sup>1</sup>Substituted by Notification No. 7-LV(15)/45, dated the 30th June, 1945.

4. No person shall sell or otherwise dispose of, and no person shall purchase or otherwise obtain, a used Government motor vehicle at a price exceeding the scheduled sale price thereof as specified in or determined under—

- (a) the Schedule to this Order, in the case of a transport vehicle, and
- (b) the Schedule to the Used Motor Vehicles Control Order, 1944, as in force on the date of purchase of the vehicle by the reconditioner from the Directorate-General of Disposals, in the case of a motor car, as the sale price for that vehicle or for vehicles of the same class and year of manufacture.

5. (1) No used Government motor vehicle shall be sold by a reconditioner except under a written warranty in Form V.

(2) On complainant by the purchaser of a used Government motor vehicle from a reconditioner under warranty that the vehicle is not in satisfactory running order according to the terms of the warranty, the Provincial Motor Transport Controller may direct that the reconditioner to carry out such repairs as the Provincial Motor Transport Controller considers necessary to put the vehicle into satisfactory running order according to the terms of the warranty; and the reconditioner shall comply with the direction.

6. A certificate in Form II shall be given by the Directorate-General of Disposals to the reconditioner in respect of each used Government motor vehicle sold to him, who shall send to the Provincial Motor Transport Controller of the area concerned a copy of the certificate, being Part III of Form II, at the same time.

7. (1) Notwithstanding anything contained in the Act, the Registering Authority shall not register any used Government motor vehicle which a reconditioner proposes to retain for his own use, unless the reconditioner produces in respect of the vehicle Part II of the permit in Form I, Part II of the certificate in Form II and a declaration in Form III.

(2) Notwithstanding anything contained in the Act, the Registering Authority shall not register any used Government motor vehicle not covered by sub-clause (1) unless the owner produces in respect of the vehicle Part II of the permit in Form I, Part II of the certificate in Form II and a declaration in Form IV.

(3) Upon the registration of any used Government motor vehicle the Registering Authority shall enter in red ink the words "used Government motor vehicle" in the certificate of registration.

(4) The figures and letters of the registration mark of a used Government motor vehicle shall be in yellow upon black ground, and there shall follow or be placed below the mark, in letters and figures of 2/3rd size of those in the registration mark, the letter "G" followed by the permit number in Form I relating to the vehicle.

8. Any Court trying a contravention of the provisions of this Order may direct that any used Government motor vehicle in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

9. The Central Government may, by general or special order, exempt any used Government motor vehicle or any class of used Government motor vehicles from all or any of the provisions of this Order.

*The Disposal of Used Government Motor Vehicles Control Order, 1944.*

#### **The Schedule.**

(See clause 4.)

**[Not printed here.]**

*Notification No. 8-LVC(42)/45, dated the 1st December, 1945 (published in the "Calcutta Gazette" of the 17th January, 1946, Pt. IA, p. 22).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of this Order shall be given by publication of the same in the official Gazettes of the Government of India and of the Provincial Governments and by the issue of a Press Note indicating the nature of the Order and the fact of its publication in the official Gazettes:—

1. (1) This Order may be called the Motor Cycles Control Order, 1945.
- (2) It extends to the whole of the British India.
- (3) It shall come into force on the tenth day of December 1945.
2. The Civil Motor Cycles Control Order, 1945, and the Commercially Imported Motor Cycles Control Order, 1945, are hereby repealed:

Provided that anything done under any of the provisions of those Orders shall be deemed to have been done under the corresponding provision of this Order.

3. In this Order, unless there is anything repugnant in the subject or context,—

- (a) "controlled motor cycle" means any motor cycle of a description given in the First Schedule annexed to this Order imported into India on Government account or commercially for civil use, which has not been registered in accordance with the provisions of section 23 of the Motor Vehicles Act, 1939 (IV of 1939), before the first day of April 1945.
- (b) "dealer" means any person appointed as such under clause 4 or clause 5 of this Order;
- (c) "Distributor" means any person whose name is for the time being specified in the Second Schedule annexed to this Order;
- (d) "Offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a motor cycle made by the publication of a price list, by exposing the motor cycle for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever;
- (e) "Provincial Motor Transport Controller" in relation to a Province means the officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order;
- (f) "sub-dealer" means a person appointed as such under clause 4 or clause 5 of this Order.

4. A Distributor may, by order in writing in the form shown in the Third Schedule annexed to this Order, appoint a dealer or a sub-dealer for controlled motor cycles of any make or makes dealt in by him in respect of such areas as may be specified in the order. The distributor may at any time, by order in writing, revoke or modify any appointment of a dealer or sub-dealer. Copies of all orders made under this clause shall be forwarded to the War Transport Department of the Government of India and to the Provincial Motor Transport Controller having jurisdiction in the area in respect of which the orders are made:

Provided that no such orders shall be issued in respect of controlled motor cycles imported on Government account, without the previous approval of the Central Government.

5. The Central Government may, by an order in writing appoint dealers and sub-dealers, in addition to those appointed under clause 4 of this Order, and may, by an order in writing, revoke or modify appointments made under this clause.

6. Every distributor shall submit a return, in the form set out in the Fourth Schedule annexed to this Order to the Central Government in the War Transport Department and to the Provincial Motor Transport Controller having jurisdiction over the area in which his main business premises are situated, furnishing details as to the number and type of controlled motor cycles obtained by him from outside India, within a week of the date of receipt of a consignment.

7. The Central Government may by notification in the official Gazette specify the maximum retail price of any class of controlled motor cycles, and may by general or special order regulate the prices at which and the conditions subject to which, controlled motor cycles may be sold by a distributor to a dealer or by a dealer to a sub-dealer.

8. Every dealer or sub-dealer shall by notice in the form set out in the Fifth Schedule annexed to this Order, prominently exhibited on his business premises, indicate the maximum retail prices specified under clause 7 in respect of each type and make of controlled motor cycle kept by him for sale.

9. (1) No person shall sell or transfer, or offer to sell or transfer, any controlled motor cycle at a price exceeding the maximum retail price for that class of motor cycle specified by the Central Government under clause 7, nor shall he demand or receive any other consideration in excess of that price:

Provided that a dealer or sub-dealer may, in the case of a new motor cycle, charge, in addition to the maximum retail price, such items of delivery charges from the premises of the distributor to the premises of the dealer as the case may be sanctioned by the Central Government from time to time.

(2) No person shall, as a consideration for the sale, transfer or disposal by him of a controlled motor cycle, take, or make allowance for, any other motor cycles save in accordance with the written orders of the Provincial Motor Transport Controller.

10. (a) The Central Government may by special order require a dealer or sub-dealer to sell or otherwise dispose of any controlled motor cycle in his possession in such manner as may be specified in the order; and a Provincial Motor Transport Controller may similarly require a dealer or sub-dealer to sell or otherwise dispose of a controlled motor cycle in his possession; and the distributor, dealer or sub-dealer; as the case may be, shall comply with the order.

(b) Subject to any order made under sub-clause (a) and to such general or special instructions as the Central Government may from time to time issue for securing a proper distribution, controlled motor cycles may be sold, transferred or otherwise disposed of to any person.

11. (1) Every distributor or dealer shall keep such records and furnish such returns in relation to controlled motor cycles as the Central Government may from time to time by general or special order require.

(2) Every sub-dealer shall keep such records and furnish such returns in relation to controlled motor cycles as the Provincial Motor Transport Controller may from time to time by general or special order require.



12. Every distributor, dealer or sub-dealer shall produce for inspection by any person authorised in writing in this behalf by the Central Government or the Provincial Motor Transport Controller at any reasonable time any controlled motor cycle in his possession, and any accounts, books and such other records that are maintained or are required to be maintained under clause 11.

13. An officer empowered in this behalf by the Central Government or by the Provincial Government may, with a view to securing compliance with this order—

- (a) require any distributor, dealer or sub-dealer to furnish any information the officer may require as to the business in motor cycles carried on by such distributor, dealer or sub-dealer;
- (b) inspect or cause to be inspected any books or other documents belonging to such distributor, dealer or sub-dealer;
- (c) enter and search, or authorise any person to enter and search, the business premises such distributor, dealer or sub-dealer; and
- (d) seize, or authorise any person to seize, any article in respect of which the officer has reason to believe, that a contravention of this Order has been committed and any books or other documents which are in his opinion relevant to prove the contravention, and thereafter take or authorise the taking of all measures necessary for securing the production of the article and documents in a Court.

14. A motor cycle which has been released for civil use in a administered area or an Indian State in accordance with a law in force in that administered area or State of like purport to this Order shall, when it is in British India, be deemed to a controlled motor cycle for the purposes of this Order.

15. Where any controlled motor cycle is sold, offered for sale or otherwise disposed or in contravention of any of the provisions of this Order by a distributor, dealer or sub-dealer, through any person employed by him or acting on his behalf such person and also, unless he proves that he exercised due diligence to prevent such contravention, the distributor, dealer or sub-dealer, as the case may be, and any person having charge, on behalf of the distributor, dealer or sub-dealer, of the place where the contravention occurred, shall be deemed to have contravened the said provision or provisions of this Order.

16. If in the opinion of the Central Government any distributor has—

- (a) contravened any of the provisions of this Order or of the Motor Vehicle Spare Parts Control Order, 1944, or of any other order under the Defence of India Rules in respect of any motor cycle or any motor vehicle spare parts; or
- (b) made any false declaration or statement in relation to any transaction in respect of controlled motor cycles or controlled spare parts; or
- (c) committed any breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation or maintenance of transport vehicles; or
- (d) been declared an insolvent; or
- (e) otherwise shown himself unfit to continue as a distributor,

the Central Government may, without prejudice to any other action that may be taken against any such distributor, direct the removal of his name from the Second Schedule to this Order whereupon such person shall cease to be a distributor for the purposes to this Order.

17. Any Court trying a contravention of this Order may direct that any motor cycle in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

18. The Central Government may by general or special order exempt any motor cycle or class of motor cycles from all or any of the provisions of this Order.

### First Schedule.

[Clause 3 (a).]

*Description of Motor Cycles to which this Order applies.*

Serial No.	Make.	Type.
1	A. J. S. .. .. .	All types.
2	Ariel .. .. .	Do.
3	B. S. A. .. .. .	Do.
4	Dot .. .. .	Do.
5	Excelsior .. .. .	Do.
6	James .. .. .	Do.
7	Matchless .. .. .	Do.
8	New Hudson .. .. .	Do.
9	Norman .. .. .	Do.
10	Norton .. .. .	Do.
11	Panther .. .. .	Do.
12	Royal Enfield .. .. .	Do.
13	Scott .. .. .	Do.
14	Triumph .. .. .	Do.
15	Francis & Barnet .. .. .	Do.
16	Velocette .. .. .	Do.

### Second Schedule.

[Clause 3(c).]

*List of Distributors.*

[Not printed in this collection.]

**Third Schedule.**

(Clause 4.)

I,.....being a distributor under the Motor Cycles Control Order, 1945, appoint you.....to be a dealer/sub-dealer for the distribution of.....motor cycles. Your place of business will be.....and the territory in which you have a trading area is.....

.....  
Distributor.

Copy forwarded to the Provincial Motor Transport Controller.  
War Transport Department, New Delhi.

.....  
Distributor.

**Fourth Schedule.**

(Clause 6 )

*Return of Controlled Motor Cycles received from outside India.*

Description of motor cycle.		Quantity ordered.	Quantity reported as received in the last return.	New reported as received.		Balance on order.	Remarks.
Make.	Type.			Quantity.	Date of receipt.		

Forwarded to the Secretary to the Government of India, War Transport Department.

.....  
Distributor.

Date.....

**Fifth Schedule.**

(Clause 8.)

*Maximum Retail Prices of Controlled Motor Cycles.*

Make.	Type.	Maximum retail Price.	Note.
			<p>The Government of India have authorised dealer and sub-dealers to charge in the case of new controlled motor cycle in addition to the retail price, delivery charges from the premises of the distributor to the premises of the dealer (but not from the premises of the dealer to the premises of the sub-dealer) consisting of such items as sanctioned by the Government from time to time. The items at present sanctioned are.....</p> <p>.....</p>

Dealer.

Sub-dealer.

Date.

*Notification No. 8-LVC(62)/45, dated the 7th March, 1946 (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. I A, p. 59).*

In exercise of the powers conferred by clause 7 of the Motor Cycles Control Order, 1945, and in supersession of the notification of the Government of India in the War Transport Department, No. 8-LVC(62)/45, dated the 2nd February, 1946, the Central Government is pleased to specify the maximum retail prices of the controlled motor cycles of the makes and types described below:—

Serial No.	Makes and Types.	Maximum Retail Price.	
		Rs.	
1	Aerial, 3½ H. P. Model— "NG" 1946, with speedometer and rear carrier.	2,220	} At ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors, whose main place of business is away from the ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate.
2	Triumph, 350 C. C., side valve, W. D. Model (Rebuilt).	1,390	
3	James, 125 C. C. . . . .	1,120	
4	James, 98 C. C. . . . .	745	
5	Scott, 98 C. C., other than those imported on Government account and distributed through Messrs. Bombay Cycle and Motor Agency, Ltd., Bombay.	825	
6	Scott, 98 C. C., imported on Government account and distributed through Messrs. Bombay Cycle and Motor Agency, Ltd., Bombay.	825	

*Notification No. 9-LVC(3)/46, dated the 7th March, 1946 (published in the "Calcutta Gazette" of the 7th March, 1946, Pt. I A, p. 60).*

In exercise of the powers conferred by clause 7 of the Motor Cycles Control Order, 1945, the Central Government is pleased to specify the maximum retail prices of the controlled motor cycles of the makes and types described below:—

Serial No.	Makes and Types.	Maximum Retail Price.	
		Rs.	
	B. S. A., 500 C. C., side valve, Model M-20, with speedometer and Air Cleaner.	2,235	} At ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors, whose main place of business is away from the ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate.
	Triumph, 500 C. C., Speed Twin, with speedometer.	2,250	

*Notification No. 9-LVC(11)/46, dated the 9th March, 1946 (published in the "Calcutta Gazette" of the 21st March, 1946, Pt. IA, p. 65).*

In exercise of the powers conferred by clause 7 of the Motor Cycles Control Order, 1945, the Central Government is pleased to specify the maximum retail price of the controlled motor cycle of the make and type described below:—

Make and Type.	Maximum Retail Price.	
	Rs.	
Royal Enfield, 350 c. c., O. H. V. Motor Cycle, Model CO. with speedometer.	1,955	At ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors, whose main place of business is away from the ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate.

*Notification No. 4-LVC(5)/46, dated the 9th March, 1946 (published in the "Calcutta Gazette" of the 21st March, 1946, Pt. IA, p. 66).*

In exercise of the powers conferred by clause 7 of the Motor Cycles Control Order, 1945, the Central Government is pleased to specify the maximum retail prices of the controlled motor cycles of the makes and type describes below:—

Serial No.	Make and Types.	Maximum Retail Price.	
		Rs.	
1	Matchless, G-3L Model, 350c.c. with Trip Speedometer.	2,135	} At ports of importation, <i>plus</i> octroi paid, if any, and in the case of distributors, whose main place of business is away from the ports, <i>plus</i> also transit insurance charges and transportation charges from the port of importation at goods freight rate.
2	Matchless, G-80 Model, 500 c.c. with Trip Speedometer.	2,235	

*Notification No. 7/LV(8)/45, dated the 19th May, 1945 (published in the "Gazette of India" of 19th May, 1945, Pt. I, p. 594).*

In exercise of the powers conferred by clause 11 of the Civil Motor Cycles Control Order, 1945, the Central Government is pleased to exempt motor cycles released by the Central Government in the War Transport Department direct from Military Depots for civil use from the provisions of the said Order.

**Notification No. LP15-(3)/44, dated the 29th April, 1944 (published in the "Calcutta Gazette" of the 11th May, 1944, Pt. 1A, p. 141).**

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Motor Vehicle Spare Parts Control Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force on the first day of May, 1944.

2. The Motor Vehicle Spare Parts Control Order, 1943, is hereby repealed:

Provided that all appointments made, proceedings commenced and action taken under any provisions of that Order shall be continued, and, so far as may be, shall be deemed to have been respectively made, commenced or taken under the corresponding provisions of this Order.

3. In this Order—

(a) "the Act" means the Motor Vehicles Act, 1939 (IV of 1939);

(b) "approved sub-dealer" means a person appointed as such under clause 5 of this Order;

(c) "controlled spare part" means any new unused spare part specified in the First Schedule, made for, or adapted for use on or in, the makes and models of motor vehicles specified in the Second Schedule, and includes any engine, axle or other assembly containing any such spare part;

(d) "essential motor vehicle" means a motor vehicle declared to be essential in accordance with the provisions of clause 8 of this Order;

(e) "fleet-owner" means a person owning or operating twenty or more transport vehicles not including motor cabs.

(f) "goods vehicle", "motor cab" and "transport vehicle" have the meanings respectively assigned to them in the Act;

(g) the "Provincial Motor Transport Controller" in relation to a Province means the Officer appointed by the Provincial Government to be the Provincial Motor Transport Controller for the purposes of this Order, and includes any other Officer authorised by the Provincial Government to perform any of the functions of the Provincial Motor Transport Controller under this Order;

(h) "registered dealer" means a person for the time being specified in the Third Schedule;

(i) "scheduled distributor" means a person for the time being specified in the Fourth Schedule;

(j) "spare part" means a counterpart of any component or regular accessory of a motor vehicle other than—

(i) the body or any part thereof,

(ii) pneumatic tyres and tubes, and

(iii) valves, and parts of valves, of pneumatic tubes;

---

<sup>1</sup>Substituted by notification No. 15-LPC(10)/45, dated the 30th June, 1945.

'(k) "offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for sale of a spare part, made by the publication of a price list, by exposing the spare part for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever.

4. (1) No person shall sell or offer to sell any spare part of foreign manufacture at a price exceeding—

- (a) the price specified in the price list published, or otherwise made available, with the approval of the Central Government under the provisions of clause 6, by the importer or scheduled distributor of that spare part; or
- (b) where the price has not been specified in any such price list, the price specified by the Central Government in this behalf by general or special order; or
- (c) where the price has not been specified in any such price list or order, twice the cost landed at main Indian port including customs duty.

(2) No person shall sell or offer to sell any spare part of Indian manufacture at a price exceeding—

- (a) the price specified by the Central Government in this behalf by general or special order; or
- (b) where the price has not been so specified, the maximum price at which a similar spare part of foreign manufacture may be sold under sub-clause (1).

(3) The Central Government may by general or special order in writing regulate the price at which and the conditions subject to which spare parts may be sold by a scheduled distributor or other importer to a registered dealer or other retailer or by a registered dealer or other dealer to an approved sub-dealer or other retailer.

5. (1) The Provincial Motor Transport Controller may by order in writing appoint such persons as he deems fit to be approved sub-dealers in respect of such descriptions or categories of controlled spare parts as he may specify, and may at any time by order in writing revoke or modify any such appointment.

(2) All orders made under sub-clause (1) shall be communicated without delay to the persons concerned.

(3) Any person aggrieved by an order made under sub-clause (1) may within one month of the date on which the order is communicated to him appeal to the Central Government, whose decision thereon shall be final.

(4) The Provincial Motor Transport Controller shall as soon as may be after the commencement of this Order publish in the official gazette of the Province a list of all approved sub-dealers carrying on business within the Province, and shall thereafter similarly publish from time to time any alterations requiring to be made in the list by reason of orders made under the preceding provisions of this clause.

6. (1) Every scheduled distributor and any other person whom the Central Government may by order in writing so direct shall from time to time by such date as the Central Government may specify—

- (a) submit to the Central Government for approval a list of prices of all spare parts offered for sale or distributed by him for sale; and

- (b) furnish such number of copies, as the Central Government may specify, of the list as approved by the Central Government to all Provincial Motor Transport Controllers and to all dealers to whom the spare parts are distributed for sale;

and shall likewise submit and furnish all connections and additions to the list.

(2) Every dealer to whom a list of prices is furnished under sub-clause (1) shall by notice prominently exhibited on all premises at which he offers spare parts for sale indicate that the approved list of prices is available for inspection by purchasers.

7. No scheduled distributor, registered dealer, approved sub-dealer or any other person authorised by the Central Government to sell controlled spare parts shall in his dealings in controlled spare parts give undue preference to any person.

18. (1) The Provincial Motor Transport Controller may, having regard to the use, actual or anticipated, of the vehicle, its mechanical condition, and the necessity of conserving supplies of controlled spare parts, declare any motor vehicle to be an essential motor vehicle for the purposes of this Order by endorsing on the certificate of registration of the vehicle and upon the Parts Record Sheet issued under clause 9 the words "Essential motor vehicle for purposes of the Motor Vehicle Spare Parts Control Order, 1944. So long as the registered ownership of the vehicle is not transferred, this endorsement is valid up to the.....day of.....194....".

<sup>2</sup>(2) The endorsement under sub-clause (1) shall ordinarily be made valid for a period not exceeding three months, in the first instance, and this period may, from time to time, be extended by the Provincial Motor Transport Controller for any period not exceeding three months, provided that the Provincial Motor Transport Controller may, at his discretion, in special cases, make the initial endorsement valid, for a period not exceeding six months, and extend the period of validity for any period not exceeding six months. The endorsement of renewal made on the Certificate of Registration shall also be made on the Parts Record Sheet, if any, of the motor vehicle.

(3) The Provincial Motor Transport Controller of any Province may by order in writing for reasons to be recorded authorise the registered owner of any motor vehicle to obtain from a registered dealer or approved sub-dealer whose business territory extends to the Province such controlled spare parts as may be specified in the order.

(4) The powers conferred on the Provincial Motor Transport Controller by this clause shall also be exercisable by such other person as he may by order in writing authorise in this behalf.

9. (1) The Provincial Motor Transport Controller, or such other person as may be authorised by him in this behalf, shall, upon application by or on behalf of the registered owner, issue a Parts Record Sheet in the form set out in the Fifth Schedule—

- (a) in respect of any essential motor vehicle being a transport vehicle, if he is satisfied that it is or will shortly be necessary that controlled spare parts should be obtained for the repair of that vehicle;

<sup>1</sup>Substituted by notification No. 15-L.P.C. (17)-44, dated the 6th September, 1944.

<sup>2</sup>Substituted by notification No. 15L.P.C. (17)-44, dated the 10th February, 1945.



'(k) "offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for sale of a spare part, made by the publication of a price list, by exposing the spare part for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever.

4. (1) No person shall sell or offer to sell any spare part of foreign manufacture at a price exceeding—

(a) the price specified in the price list published, or otherwise made available, with the approval of the Central Government under the provisions of clause 6, by the importer or scheduled distributor of that spare part; or

(b) where the price has not been specified in any such price list, the price specified by the Central Government in this behalf by general or special order; or

(c) where the price has not been specified in any such price list or order, twice the cost landed at main Indian port including customs duty.

(2) No person shall sell or offer to sell any spare part of Indian manufacture at a price exceeding—

(a) the price specified by the Central Government in this behalf by general or special order; or

(b) where the price has not been so specified, the maximum price at which a similar spare part of foreign manufacture may be sold under sub-clause (1).

(3) The Central Government may by general or special order in writing regulate the price at which and the conditions subject to which spare parts may be sold by a scheduled distributor or other importer to a registered dealer or other retailer or by a registered dealer or other dealer to an approved sub-dealer or other retailer.

5. (1) The Provincial Motor Transport Controller may by order in writing appoint such persons as he deems fit to be approved sub-dealers in respect of such descriptions or categories of controlled spare parts as he may specify, and may at any time by order in writing revoke or modify any such appointment.

(2) All orders made under sub-clause (1) shall be communicated without delay to the persons concerned.

(3) Any person aggrieved by an order made under sub-clause (1) may within one month of the date on which the order is communicated to him appeal to the Central Government, whose decision thereon shall be final.

(4) The Provincial Motor Transport Controller shall as soon as may be after the commencement of this Order publish in the official gazette of the Province a list of all approved sub-dealers carrying on business within the Province, and shall thereafter similarly publish from time to time any alterations requiring to be made in the list by reason of orders made under the preceding provisions of this clause.

6. (1) Every scheduled distributor and any other person whom the Central Government may by order in writing so direct shall from time to time by such date as the Central Government may specify—

(a) submit to the Central Government for approval a list of prices of all spare parts offered for sale or distributed by him for sale; and

- (b) furnish such number of copies, as the Central Government may specify, of the list as approved by the Central Government to all Provincial Motor Transport Controllers and to all dealers to whom the spare parts are distributed for sale;

and shall likewise submit and furnish all connections and additions to the list.

(2) Every dealer to whom a list of prices is furnished under sub-clause (1) shall by notice prominently exhibited on all premises at which he offers spare parts for sale indicate that the approved list of prices is available for inspection by purchasers.

7. No scheduled distributor, registered dealer, approved sub-dealer or any other person authorised by the Central Government to sell controlled spare parts shall in his dealings in controlled spare parts give undue preference to any person.

18. (1) The Provincial Motor Transport Controller may, having regard to the use, actual or anticipated, of the vehicle, its mechanical condition, and the necessity of conserving supplies of controlled spare parts, declare any motor vehicle to be an essential motor vehicle for the purposes of this Order by endorsing on the certificate of registration of the vehicle and upon the Parts Record Sheet issued under clause 9 the words "Essential motor vehicle for purposes of the Motor Vehicle Spare Parts Control Order, 1944. So long as the registered ownership of the vehicle is not transferred, this endorsement is valid up to the.....day of.....194....".

(2) The endorsement under sub-clause (1) shall ordinarily be made valid for a period not exceeding three months, in the first instance, and this period may, from time to time, be extended by the Provincial Motor Transport Controller for any period not exceeding three months, provided that the Provincial Motor Transport Controller may, at his discretion, in special cases, make the initial endorsement valid, for a period not exceeding six months, and extend the period of validity for any period not exceeding six months. The endorsement of renewal made on the Certificate of Registration shall also be made on the Parts Record Sheet, if any, of the motor vehicle.

(3) The Provincial Motor Transport Controller of any Province may by order in writing for reasons to be recorded authorise the registered owner of any motor vehicle to obtain from a registered dealer or approved sub-dealer whose business territory extends to the Province such controlled spare parts as may be specified in the order.

(4) The powers conferred on the Provincial Motor Transport Controller by this clause shall also be exercisable by such other person as he may by order in writing authorise in this behalf.

9. (1) The Provincial Motor Transport Controller, or such other person as may be authorised by him in this behalf, shall, upon application by or on behalf of the registered owner, issue a Parts Record Sheet in the form set out in the Fifth Schedule—

- (a) in respect of any essential motor vehicle being a transport vehicle, if he is satisfied that it is or will shortly be necessary that controlled spare parts should be obtained for the repair of that vehicle;

<sup>1</sup>Substituted by notification No. 15-L.P.C. (17)-44, dated the 6th September, 1944.

<sup>2</sup>Substituted by notification No. 15L.P.C. (17)-44, dated the 10th February, 1945.

(b) in respect of any essential motor vehicle not being a transport vehicle, if he is satisfied that the number of controlled spare parts required, or likely to be required, for the repair of the vehicle, is such that particulars of the same cannot conveniently be entered on the certificate of registration of the vehicle.

(2) The authority issuing a Parts Record Sheet in respect of any vehicle under sub-clause (1) shall endorse upon the certificate of registration of the vehicle over his signature and designation the serial number of the Parts Record Sheet and the date of issue.

(3) The registered owner of any motor vehicle in respect of which a Parts Record Sheet has been issued shall maintain it in a legible manner and shall produce it for inspection at any time on demand by the Provincial Motor Transport Controller or by any other officer authorised by him in this behalf or by a Police Officer not below the rank of Sub-Inspector.

(4) A scheduled distributor, a registered dealer, an approved sub-dealer, a repairer of motor vehicles, a fleet-owner or any other person authorised by the Central Government by an order in writing to sell or dispose of controlled spare parts, shall, at the time of selling, using or otherwise disposing of any controlled spare part for use on any specific motor vehicle enter particulars thereof in the certificate of registration or on a paper firmly attached to it, or, on the Parts Record Sheet appertaining to the vehicle in respect of which the spare part is supplied:

Provided that in relation to a transaction by the scheduled distributor, the Central Government, and in relation to any other transaction, the Provincial Motor Transport Controller, may by a general or special order exempt any transactions or class of transactions from the provisions of this sub-clause.

(5) No person shall mutilate the entries made under sub-clause (4) on the Parts Record Sheet or the certificate of registration or any paper attached to it, or detach the paper attached to the certificate of registration for the purpose of making such entries.

10. No scheduled distributor shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part, except—

- (a) to a registered dealer; or
- (b) for the immediate repair of an essential motor vehicle owned and used by him in the course of his business as a scheduled distributor; or
- (c) for the immediate repair of an essential motor vehicle in the course of his business as a repairer of motor vehicles; or
- (d) to an officer of the Central Government or of a Provincial Government authorised by the Central Government in this behalf; or
- (e) in accordance with an order in writing of the Central Government.

11. No registered dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part except—

- (a) to any other registered dealer or an approved sub-dealer; or
- (b) in the course of his business as a repairer of motor vehicles for the immediate repair of an essential motor vehicle within his jurisdiction; or
- (c) to the owner of an essential motor vehicle within his jurisdiction for necessary repairs thereto; or
- (d) to the owner of any essential motor vehicle if he is satisfied that the spare part is immediately required to enable the vehicle to continue its journey; or

- (e) to the owner of a motor vehicle in accordance with an order made by the Provincial Motor Transport Controller under sub-clause (3) of clause 8; or
- (f) to a repairer of motor vehicles for necessary repairs to an essential motor vehicle within his jurisdiction; or
- (g) to a fleet-owner in accordance with a general or special order of the Provincial Motor Transport Controller; or
- (h) to an officer of the Central Government authorised by the Central Government in this behalf; or
- (i) to an officer of the Provincial Government authorised by the Provincial Motor Transport Controller having jurisdiction in the business territory of the dealer in this behalf; or
- (j) in accordance with a special order of the Central Government or of the Provincial Motor Transport Controller having jurisdiction in the business territory of the dealer.

*Explanation 1.*—An essential motor vehicle shall, for the purposes of this clause, be deemed to be within the jurisdiction of a registered dealer only if it has been declared to be essential by an authority whose jurisdiction extends to the business territory of the dealer.

<sup>1</sup>*Explanation 2.*—A motor vehicle declared to be essential under the provisions of any law in force in an Indian State, or an Administered Area including the British Reserve in Manipur, for the control of motor vehicle spare parts, substantially corresponding to the provisions of this Order, shall be deemed to be an essential motor vehicle for the purposes of sub-clause (d).

12. No approved sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part except—

- (a) in the course of his business as a repairer of motor vehicles for the immediate repair of an essential motor vehicle within his jurisdiction; or
- (b) to the owner of an essential motor vehicle within his jurisdiction for necessary repairs thereto; or
- (c) to the owner of any essential motor vehicle if he is satisfied that the spare part is immediately required to enable the vehicle to continue its journey; or
- (d) to the owner of a motor vehicle in accordance with an order made by the Provincial Motor Transport Controller under sub-clause (3) of clause 8; or
- (e) to a repairer of motor vehicles for necessary repairs to an essential motor vehicle within his jurisdiction; or
- (f) in accordance with the general or special orders in writing of the Central Government or of the Provincial Motor Transport Controller having jurisdiction in the business territory of the sub-dealer.

*Explanation 1.*—An essential motor vehicle shall, for the purposes of this clause, be deemed to be within the jurisdiction of an approved sub-dealer only if it has been declared to be essential by an authority whose jurisdiction extends to the business territory of the sub-dealer.

<sup>1</sup>*Explanation 2.*—A motor vehicle declared to be essential under the provisions of any law in force in an Indian State, or an Administered Area

including the British Reserve in Manipur, for the control of motor vehicle spare parts substantially corresponding to the provisions of this Order, shall be deemed to be an essential motor vehicle for the purposes of sub-clause (c).

13. A registered dealer or an approved sub-dealer may before selling or otherwise disposing of any controlled spare part to the owner of an essential motor vehicle or to a repairer of motor vehicles call upon such owner or repairer to give him an opportunity to inspect the vehicle with a view to satisfy himself that the controlled spare parts demanded by the owner or repairer are in fact necessary for repairing the vehicle:

Provided that the Provincial Motor Transport Controller may by general or special order declare that certain motor vehicles or certain classes of motor vehicles generally or in specified areas need not be produced before the registered dealer or the approved sub-dealer if the Provincial Motor Transport Controller is satisfied that undue inconvenience would result from such production.

14. (1) Where a scheduled distributor, registered dealer or approved sub-dealer is also a fleet-owner, he shall not appropriate any controlled spare parts towards his business as a fleet-owner except in accordance with a general or special order in writing—

(a) in the case of a scheduled distributor of the Central Government, and

(b) in the case of a registered dealer or an approved sub-dealer of the Provincial Motor Transport Controller.

(2) No fleet-owner shall use or otherwise dispose of any controlled spare part except for necessary repairs to a motor vehicle belonging to or operated by him, and where such motor vehicle is not an essential motor vehicle, except with the written permission of the Provincial Motor Transport Controller.

15. (1) Every scheduled distributor and every registered dealer shall comply with any instructions that the Central Government may from time to time issue, and every registered dealer shall comply with any instructions that the Provincial Motor Transport Controller having jurisdiction in the place where the registered dealer has his place of business may issue, regulating—

(a) the classes and quantities of controlled spare parts that shall be transferred from the scheduled distributor to registered dealers and from registered dealers to approved sub-dealers;

(b) the transfer of controlled spare parts from one registered dealer to another;

(c) the reservation of stocks of controlled spare parts for specified purposes;

(d) the priority to be given to supplies for specified purposes;

(e) the accounts and records to be maintained and the records to be furnished in relation to controlled spare parts.

(2) The Provincial Motor Transport Controller may from time to time give directions to an approved sub-dealer as regards the disposal of any controlled spare parts in his possession, the accounts and records to be maintained, and the returns to be furnished by him in that connection and the approved sub-dealer shall comply with such directions.

16. (1) Every registered dealer and approved sub-dealer shall exhibit conspicuously and maintain in a legible condition on his premises a notice in the form set forth in the Sixth Schedule specifying the principal classes of controlled spare parts in which he is a dealer.

(2) Notwithstanding that any controlled spare part does not form part of his principal stock in trade and is not included in the notice exhibited under sub-clause (1), no registered dealer or approved sub-dealer shall sell any controlled spare part save in accordance with the provisions of this Order.

17. The Central Government '[or the Provincial Transport Controller] may by order in writing direct any person holding stocks of any spare parts to supply such portion thereof to such person or persons as may be specified in the order and the person shall comply with such direction.

18. Every scheduled distributor, registered dealer, approved sub-dealer and every other person dealing in spare parts shall permit any officer authorised by the Central Government or by the Provincial Motor Transport Controller in this behalf to enter and inspect any premises in which spare parts are kept with a view to check the stock and any accounts or records maintained by him.

19. (1) Every scheduled distributor, registered dealer, approved sub-dealer and other persons engaged in the business of selling spare parts shall at the time of selling or otherwise disposing of any spare part issue to the transferee an invoice, bill or cash memo., setting out the name and address of the transferee and the particulars and price of the spare parts transferred, and shall keep a copy thereof, which copy he shall make available for inspection by any authorised officer of Government at any time during a period of one year from the date of such sale or disposal.

<sup>2</sup>[*Explanation.*—“Particulars and price of the spare parts” shall, for the purpose of this sub-clause be deemed to be the part number, description, make of vehicle and year model application, name of manufacturer, and the price charged in respect of the part transferred.]

(2) Every scheduled distributor, registered dealer, approved sub-dealer and any other person authorised by the Central Government by an order in writing to sell controlled spare parts, who at the time of selling or otherwise disposing of any controlled spare part is required under the provisions of this Order to enter the particulars thereof upon the Parts Record Sheet or the certificate of registration of the motor vehicle concerned, shall enter upon the original and the copy of the invoice, bill or cash memo., the registration mark of the motor vehicle for use on which the spare part has been issued.

(3) An officer of Government who obtains for official use controlled spare parts under the provisions of this Order shall keep a record of the particulars of the motor vehicle for use on which any such spare parts are issued and enter the particulars of the spare parts issued on the Parts Record Sheet or the certificate of registration of the motor vehicle concerned.

20. No registered dealer and no approved sub-dealer or other person authorised by the Central Government by an order in writing to sell controlled spare parts shall without reasonable cause refuse to deliver any controlled spare part on tender of proper price by any person lawfully entitled under the provisions of this Order to demand the spare part.

<sup>1</sup>Inserted by notification No. 15L.P.C.(16)/45, dated the 27th September, 1945.

<sup>2</sup>Inserted by notification No. 1-I.P.C.(1)/46, dated the 24th January, 1946.

120A. Where any spare part is sold, offered for sale or otherwise disposed of in contravention of any of the foregoing clauses, by a scheduled distributor, a registered dealer, an approved sub-dealer, or any other person dealing in spare parts, through any person employed by him or acting on his behalf, such person and also, unless he proves that he exercised due diligence to prevent such contravention, the scheduled distributor, registered dealer, approved sub-dealer or any other person dealing in spare parts, as the case may be, and any person having charge on behalf of the scheduled distributor, registered dealer, approved sub-dealer, or any other person dealing in spare parts, of the place where the contravention occurred, shall be deemed to have contravened the said provision or provisions of this Order.

21. If in the opinion of the Central Government, any scheduled distributor or a registered dealer has—

- (a) contravened any of the provisions of this Order, or of the Civil Motor Transport Vehicles Control Order, 1944; or
- (b) made any false declaration or statement in relation to any transaction in respect of a controlled motor vehicle or controlled spare parts; or
- (c) committed a breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation of maintenance of transport vehicles; or
- (d) been declared an insolvent; or
- (e) otherwise shown himself unfit to continue as a scheduled distributor, or a registered dealer, as the case may be, under the provisions of this Order, the Central Government may, without prejudice to any other action that may be taken against him, direct the removal of his name from the Third or the Fourth Schedule to this Order, and a Provincial Motor Transport Controller may for like reason cancel any notification declaring any person to be an approved sub-dealer; whereupon such person shall cease to be a scheduled distributor, or a registered dealer, or an approved sub-dealer, as the case may be, for the purposes of this Order.

22. Any court trying a contravention of the provisions of this Order may direct that any spare parts in respect of which the court is satisfied that the order has been contravened shall be forfeited to His Majesty.

23. The Provincial Government may, by notification in the official gazette, appoint Regional or District Controllers to perform such of the functions of the Provincial Motor Transport Controller under this Order as may be specified in the notification.

### **The First Schedule.**

[See clause 3 (c).]

#### **DESCRIPTIVE LIST OF CONTROLLED SPARE PARTS.**

[See the *Calcutta Gazette* of the 11th May, 1944, Pt. IA, p. 141.]

---

<sup>1</sup>Inserted by notification No. 15-I.P.C.(8)/45, dated the 7th July, 1945.

## The Second Schedule.

[See clause 3 (c).]

**MAKES OF MOTOR VEHICLES, CERTAIN SPARE PARTS FOR WHICH ARE CONTROLLED.**

### Transport Vehicles.

### Other Vehicles.

1

2

1. Chevrolet
2. G. M. C.
3. Oldsmobile
4. Bedford
5. Ford
6. International
7. Rao
8. Fargo
9. Commer
10. Morris-Commercial

Of model year 1937  
and subsequent  
years.

1. Chevrolet.
2. Vauxhall.
3. Oldsmobile.
4. Buick.
5. Pontiac.
6. Ford—other than Motor cars of 8 and 80 horse powers.
7. Mercury.
8. Austin.
9. Hillman.
10. Humber.
11. Morris.
12. Wolseley.
13. Citroen.
14. Fiat.
15. Opel.
16. Chrysler.
17. De Soto.
18. Dodge.
19. Nash.
20. Plymouth.
21. Studebaker.
22. Willys.

## The Third Schedule.

[For the Third Schedule see the *Calcutta Gazette* of the 11th May, 1944,  
Part IA, page 145.]

## The Fourth Schedule.

[See clause 3 (i).]

### LIST OF SCHEDULED DISTRIBUTORS.

Name and address of scheduled distributor.	Nature of spare parts in relation to the scheduled distributor.
1. M/s. General Motors India, Ltd., Bombay.	All spare parts for Chevrolet, "G. M.C.", Oldsmobile and Bedford transport vehicles and Chevrolet and Vauxhall passenger cars.
2. M/s. Ford Motor Co. of India, Ltd., Bombay, Madras and Calcutta.	All spare parts for Ford transport vehicles and Ford and Mercury passenger cars.
3. M/s. Spence, Ltd, Bombay, Madras, Calcutta and Lahore.	Auto-Lite Electrical Service parts only.



**The Fifth Schedule.****PARTS RECORD SHEET.**

(See clause 9.)

(Issued under the Motor Vehicles Spare Parts Control Order, 1944.)

Make of vehicle.....

Year of manufacture.....

Vehicle registration mark.....

Name of registered owner.....

Serial No. of Parts Record Sheet

Issued for the vehicle.....

Date of issue .....

(Space for renewal),

Essential motor vehicle for purposes of the Motor Vehicle Spare Parts Control Order, 1944. So long as the registered ownership of the vehicle is not transferred, this endorsement is valid up to the day of.....194 .

*Signature and designation of issuing authority.*

*Note.*—Entries to be made, in ink, by registered dealer or approved sub-dealer supplying controlled spare parts or any other person authorised by the Central Government by an order in writing to sell controlled spare parts.

Date.	Quantity.	Part No.	Name of controlled spare parts.	Supplied by.	<sup>1</sup> Value at list price.
-------	-----------	----------	---------------------------------	--------------	-----------------------------------

**The Sixth Schedule.**

[See clause 16 (I).]

**NOTICE.**

Motor Vehicle Spare Parts Control Order, 1944.

This Firm is a Registered dealer  
an Approved Sub-dealer principally in respect of the following controlled spare parts.

.....(Here enter the makes  
..... of vehicles for which  
..... parts are principally  
..... stocked.)

Any other spare parts in our stocks are available for sale in accordance with the provisions of the said Order.

*Signature of Registered Dealer  
or Approved Sub-dealer.*

*Notification No. SS/63(3), dated the 10th September, 1945 (published in the "Gazette of India, Extraordinary" of the 13th September, 1945, p. 765).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules, that notice of the Order shall be given to the public by publication of the same in the *Gazette of India* and by issue of a press note indicating the nature of its provisions.

<sup>1</sup>New column inserted by notification No. 15-L.P.C. (18)/44, dated the 3rd October, 1944.

1. *Short title, extent and commencement.*—(1) This Order may be called the Tyre Rationing Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

(4) The Tyre Rationing Order, 1944, is hereby repealed, provided anything done under any of the provisions of that Order shall be deemed to have been done under the corresponding provisions of this order.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context,—

- (i) “Area Rationing Authority” means an Area Rationing Authority appointed under clause 4;
- (ii) “clause” means a clause of this Order;
- (iii) “fleet-owner” means a person owning or operating twenty or more transport vehicles (as defined in section 2 of the Motor Vehicles Act, 1939, but not including motor cabs);
- (iv) “Form” means a Form appended to this Order;
- (v) “giant tyre” means a tyre, and “giant tube” means a tube, with a cross-section of not less than five inches intended for use on a heavy transport vehicle or light transport vehicle as defined in section 2 of the Motor Vehicles Act, 1939;
- (vi) “Government scrap rubber depot” means a depot established by, or under instructions from, Government for the collection, storage and disposal of scrap rubber;
- (vii) “manufacturer” means a person carrying on the business of manufacturing tyres or tubes, and includes a recognised representative of any such person;
- (viii) “new tyre” means a tyre, and “new tube” means a tube, which has been used, if at all, for not more than 1,000 miles;
- (ix) “Provincial Rationing Authority” means a Provincial Rationing Authority appointed under clause 3;
- (x) [Omitted by notification No. SS/63(3), dated the 17th December, 1945.]
- (xi) “recognised” means recognised for the purpose of this Order by general or special order of the Central Government;
- (xii) [Omitted by notification No. SS/63(3), dated the 17th December, 1945.]
- (xiii) “retreader” means a person carrying on the business of retreading used tyres.
- (xiv) “retreading” means the process of renewing the entire tread of a used tyre by the addition to it of rubber or rubber compound and includes re-capping, re-soling, re-moulding and any other similar method of reconditioning;
- (xv) “stockist” means any person other than a fleet-owner who has in his possession any tyres or tubes acquired by him for purposes of trade or business, and includes a supplier and a dealer in motor vehicles;
- (xvi) “supplier” means a person carrying on the business of supplying tyres or tubes, whether new, old or retreaded, and includes a manufacturer and a retreader who carries on such business;

- (xvii) "tube" means the inner tube of a pneumatic rubber tyre intended for use on the wheel of a vehicle <sup>1</sup>[but does not include a giant tube];
- (xviii) "tyre" means the outer cover of a pneumatic rubber tyre intended for use on the wheel of a vehicle <sup>1</sup>[but does not include a giant tube];
- (xix) "unserviceable tyre" means a tyre which is irreparably damaged, or which is worn out and cannot be retreaded; and a tyre may be deemed "unserviceable" if the cord plies are exposed or if the tyre has sustained a cut or burst exceeding six inches in length or diameter;
- (xx) "vehicle" means a mechanically propelled vehicle, animal drawn vehicle, or hand-cart, the wheels of which are constructed or adapted for use with tyres.

3. *Provincial Rationing Authority.*—(1) The Provincial Government shall appoint a Provincial Rationing Authority having jurisdiction throughout the Province.

(2) The Provincial Rationing Authority shall, subject to the direction and control of the Provincial Government, exercise general control over the working of this Order in the Province.

(3) The Provincial Rationing Authority may issue instructions to all or any Area Rationing Authorities as to the extent to which permits under this order may be granted and as to the manner in which the provisions of this Order shall be carried out.

(4) The Provincial Rationing Authority shall have power to revise any decision or order made by an Area Rationing Authority.

4. *Area Rationing Authorities.*—The Provincial Government may appoint such Area Rationing Authorities as it thinks fit, having jurisdiction in such areas and in respect of such vehicles or such class or classes of vehicles as may be specified in each case by the Provincial Government.

5. *Submission of returns, etc.*—(1) Every stockist shall submit to the Area Rationing Authority so as to reach it not later than the 7th day of each month a true return in duplicate in Form 1 in respect of his stocks of, and transaction in, tyres and tubes, during the preceding month.

(2) Every owner of a vehicle, not being a fleet-owner, shall on being required by the Area Rationing Authority, submit to it a declaration in form 2 giving all the details specified therein, together with the registration certificate, if any, of the vehicle; and the Area Rationing Authority shall, after making such verification as it considers necessary, enter in the registration certificate the manufacturer's serial numbers of the tyres for the time being fitted on the wheels (including spare wheels) of the vehicle and of any other tyres in the possession of the owner, and return it to him.

6. *Supply of new tyres or tubes only on permits.*—New tyres and new tubes shall be supplied or acquired only against the surrender to the supplier of a valid permit in Form 3 issued under the provisions of this Order, and only in accordance with the conditions and instructions appearing on such permit:

Provided that nothing in this clause shall apply to—

- (i) the supply or acquisition of tyres or tubes fitted to a motor vehicle and sold with it as part of its normal equipment;

---

<sup>1</sup>Inserted by notification No. SS/33(3), dated the 17th December, 1945.

- (ii) the supply or acquisition of tyres or tubes under any general or special order of the Central Government or of any Provincial Government or of the Controller or Deputy Controller of Rubber, or the Tyre Rationing Officer in the Directorate General of Supply or in pursuance of a contract entered into with the supplier by the Chief Controller of Purchase (Supply); or
- (iii) the resale or transfer of new tyres and tubes by any person to the manufacturer from whom the tyres and tubes were originally obtained.

7. *Applications for permits in Form 3.*—(1) Any person wishing to obtain a permit for the supply of a new tyre or a new tube shall make an application in Form 4 to the Area Rationing Authority having jurisdiction in respect of the vehicle for which the tyre or tube is required. A separate application shall be made in respect of each such vehicle.

(2) The applicant shall, after completing the application, having the form of certificate appended thereto completed by the supplier from whom he proposes to obtain the tyre or tube, and then submit the application to the Area Rationing Authority, together with the certificate of registration, if any, of the vehicle for which the tyre or tube is required:

Provided that where the applicant is a fleet-owner, he need not have the form of certificate completed.

8. *Permits to authorise supply by recognised suppliers.*—(1) No permit in Form 3 shall authorise the supply of tyres or tubes by any person other than a recognised supplier.

(2) No recognised supplier shall, without reasonable cause, refuse to supply tyres or tubes against any valid permit in Form 3 which specifies him as the supplier.

9. *Procedure for supply of tyres and tubes.*—(1) A person to whom the Area Rationing Authority has granted a permit in Form 3 (hereinafter referred to as the "permit-holder") shall hand over the permit to the supplier named therein.

(2) Within ten days of taking delivery of the tyres and tubes for which a permit has been granted, the permit-holder shall, unless he is a fleet-owner, produce before the Area Rationing Authority the registration certificate of the vehicle concerned, and the Area Rationing Authority shall enter therein the serial numbers of the tyres acquired under the permit as recorded in Part I thereof. Where the permit-holder is a fleet-owner, he shall produce before the Area Rationing Authority his copy of the return in Form 2 furnished in pursuance of clause 5 (2) of the Tyre Rationing Order, 1944, together with a statement showing the serial numbers of the tyres acquired by him under the permit and of the unserviceable tyres being replaced, and the Area Rationing Authority shall make the necessary changes in both copies of the return and send back to the fleet-owner his copy of the return.

(3) If the supplier is unable to supply from stock the tyres or tubes specified in the permit, or wishes to replenish his stocks he shall detach Part II of the permit and send it with his indent to the manufacturer.

(4) Any manufacturer furnishing a supplier with tyres or tubes on an indent made under sub-clause (3) shall endorse at the appropriate places in

Part II of the permit the manufacturer's serial numbers of the tyres so furnished, detach the portion to be retained by him and return the remaining portion to the Area Rationing Authority which issued the permit.'

(5) The supplier shall, within seven days of delivering the tyres or tubes specified in the permit to the permit-holder, endorse on the relevant portion of Part I of the permit the manufacturer's serial numbers of the tyres supplied by him and send the permit to the Area Rationing Authority which issued it.

10. *Utilisation of tyres and tubes by stockists.*—(1) No stockists shall utilise any tyre or tube in his possession for fitment to any vehicle whether belonging to him or to another person except under a valid permit in Form 5 issued to him in that behalf.

(2) Any stockist wishing to obtain a permit in Form 5 shall make an application in Form 6 to the Area Rationing Authority having jurisdiction in respect of the vehicle for which the tyre or tube is required. A separate application shall be made in respect of each such vehicle and submitted to the Area Rationing Authority together with the registration certificate, if any, of the vehicle.

(3) The Area Rationing Authority shall, when issuing a permit in Form 5 for the fitment of tyres to a motor vehicle, record in the registration certificate of the vehicle the manufacturer's serial numbers of the tyres to be fitted.

11. *Period of validity of permits.*—Any permit issued under this Order shall be valid only for the period specified therein.

12. *Prohibition of supply and acquisition of tyres, etc., contrary to this Order.*—No person shall supply or acquire any new tyre, or any new tube otherwise than in accordance with the provisions of this Order.

13. *Prohibition of transfer of permits.*—No person shall transfer to any other person any permit issued to himself under the provisions of this Order.

14. *Prohibition of tampering with manufacturer's serial numbers on tyres.*—No person other than a manufacturer shall obliterate or alter the manufacturer's serial numbers on any tyre.

15. *Production of vehicles for inspection of tyres and tubes.*—An Area Rationing Authority may require an applicant for a permit under this Order to produce the vehicle in respect of which the application is made for an examination of its tyres and tubes, including any spare tyres or tubes he may have in his possession, and may issue such directions concerning the replacement of tyres as it thinks fit; and the applicant shall comply with such directions.

16. *Making false statements, etc., in connection with application for permits.*—(1) If a person applying for a permit under this Order makes any false statement in his application, then without prejudice to any action that may be taken against him under rule 117 of the Defence of India Rules, the Area Rationing Authority may reject that and any subsequent application for a permit under this Order made by or on behalf of that person.

(2) If a supplier makes a false statement or gives a false certificate in connection with any application for a permit under this Order, then, without prejudice to any action that may be taken against him under rule 117 of the Defence of India Rules, the Area Rationing Authority may refuse to grant any permit authorising the supply of new tyres or tubes by such supplier.

[See clause 5(1).]

•

## Car and Motor Cycle.

I hereby declare that apart from the above tyres and tubes I have no other  
tyres or tubes in my possession.

Place.....  
Date.....

Signature of Supplier or Stockist.....

[See clause 5(2).]

*Declaration to be made by owners of vehicles other than Fleet-owners.*

Name of Owner.....  
Address.....  
Type of Vehicle.....

## Passenger Car

## Goods Truck

## Passenger Bus

## Motor Cycle

**Registration Number.**

Tyres fitted to the wheels of the Vehicle including those on the spare wheels.	Other spare tyres in stock.

[illegible]

\*1The word "giant" was omitted by notification No. SS/63(3), dated the 17th December, 1945.

I declare that apart from the above tyres, I have no other tyres in my possession.

Place.....

Date.....

*Signature of Owner. -*

NOTE.—A separate declaration in the above form should be made in respect of each vehicle.

**FORM 3.**

[See clause 6.]

Serial No.....

Counterfoil.

Permit No.....

Applicant's Name and Address

.....  
 .....  
 .....  
 Name and Address of Supplier  
 .....  
 .....  
 .....

No. of Tyres .....

Size of Tyres.....  
 Tubes .....

To be supplied:  
 ex-stock without replenishment

.....

ordered from Manufacturer on Part II

Reg. No. of Vehicles .....

.....

.....  
 (Off. date stamp)

.....  
 (Initials)

**FORM 3.**

[See clause 6.]

Serial No.....

**PART I.**

Permit to purchase tyres and/or tubes.  
 Permission is hereby granted to.....

(Applicant's full Name and Address)

to purchase the following New Tyres or  
 Tubes

Tyres		Tubes	
Quantity	Size	Quantity	Size

..

..

From

(Name of Supplier)

to be fitted to the vehicles registered  
 No.....

This permit is valid for.....  
 from date of issue and is not trans-  
 ferable.

Date.....

*Stamp and Signature of  
 Area Rationing Authority.*

**TYRES SUPPLIED BY ME :—**

Tyres				Tubes	
Quantity	Size	Mft. Serial	Quan-	Size	
		No.	tity.		

.....

..

..

Date. .. *Signature of Supplier.*

*Note 1.—This part of the permit must be returned by the supplier to the Area Rationing Authority which issued this permit after endorsing Serial Nos. of the tyres and tubes supplied.*





## FORM 4.

[See clause 7.]

*Application to the Area Rationing Authority for a Permit to purchase one or more tyres and/or tubes to replace tyres and/or tubes no longer serviceable.*

1. Applicant's name and address.....  
.....
2. Registered owner of vehicle.....  
Total number of vehicles owned.....
3. Reason why application is made by a person other than registered owner.....  
.....
4. Class of Motor Vehicle ..... Reg. No. ....  
Vehicle (in the case of a motor vehicle.)
5. (i) Amount of current monthly petrol ration Basic (Form D).....  
.....gals.  
Supplementary (Form E).....gals.  
(ii) Amount of special monthly Ration (Form C).....gals.  
If petrol for the vehicle in question is obtained by special Receipt in Form A,  
state current Book No.....and office of issue.....
6. Essential purposes for which (Motor Vehicle) will be used.....  
Vehicle  
.....miles monthly.  
..... " "  
..... " "  
..... " "
7. Nature of profession, business or occupation.....  
.....  
and business address.....
8. Number of tyres at present on vehicle including spares (indicate number of Retreaded tyres if any).....
9. Serial Nos. of all tyres fitted including spares.....  
.....  
Mark with \* those to be replaced.....  
.....
10. I hereby declare that:—

(a) Apart from the tyre/s, tube/s, retreaded tyre(s) in respect of the replacement of which this application is made, I have no other unserviceable tyre/s or tube/s in my possession.

(b) The stock of usable tyres and retreaded tyres of the above size(s) now held by me/us at the address given in (1) above, and the number of running and spare tyres of the same size(s) on all my/our vehicles is as follows:—

Size.	Number of running tyres (including spares).	Stocks (excluding tyres fitted to running and spare wheel).	
		Tyres.	Tubes.

(In the case of a business this declaration must be signed by the owner of the business or by a Partner, Director or Secretary on behalf of a firm or Limited Company or by an employee authorised in writing by his employer).

Signature.....  
 .....  
 Position held.....  
 .....  
 Date.....

I hereby apply for permission to purchase.....  
 new tyre(s) and.....tube(s) size.....to replace the  
 same number of worn tyre(s) tube(s).

The worn tyre/s has/have been examined by.....  
 whose certificate appears hereunder.

I declare that to the best of my knowledge the information given herein is in all respects true and correct.

.....  
 (Signature of Applicant.)

Place.....

Date.....

*Extract from Defence of India Rules made under the Defence of India Act, 1939.*

**Rule 117—**

**If any person—**

(i) when required by or under any of these Rules to make any statement or furnish any information, makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false, or not true, in any material particular, or

(ii) makes any such statement as aforesaid in any account declaration, estimate, return or other document which he is required by or under any of these Rules to furnish,

he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

*Certificate to be signed by or on behalf of a supplier.* ●

I, .....representing.....hereby certify that I  
 (insert name of supplier)  
 have examined the said worn tyre(s) tube(s) and that to the best of my judgment it/they is/are no longer serviceable in its/their present condition

and that it/they cannot be repaired or retreaded. I will, if a permit is granted, supply the tyre(s) tube(s) required from existing stock/order the tyre(s) tube(s) required from a manufacturer.

I declare my total stock of tyre(s) tube(s) of the above size or sizes in hand on the date of this application is:—

Size.	Stock of Tyres.	Stock of Tyres Retreaded.	Stock of Tubes.	Sales during last 2 months.	Any special reasons why replacement of stock is required.

(This declaration of stocks need not be completed by a manufacturer.)

.....  
(Signature of Supplier.)

Place.....

Date.....

### FORM 5.

[See clause 10(I).]

*Permit to Stockist to utilise tyres and tubes.*

Permission is hereby granted to.....

.....  
(Applicant's full name and address.)

to utilise the following new tyres and tubes from his/their stock:—

Tyres.			Tubes.	
Quantity.	Size.	Mft. Serial No.	Quantity.	Size.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

for fitment to the vehicle registered No.....

(Stamp and signature of Area  
Rationing Authority.)

Date.....

## FORM 6.

[See clause 10(2).]

*Application by Stockists to utilise Tyres and Tubes.*

I,.....

(Applicant's full name and address.)

hereby apply for permission to utilise from my/our stock the following tyres and tubes.

Tyres.			Tubes.	
Quantity.	Size.	Mft. Serial No.	Quantity.	Size.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

for fitment to vehicle registered No.....  
in my possession.

Purpose for which vehicle in question is used/or to be used—

(give fullest detail, state total number of vehicles maintained. In case vehicle is to be hired or sold, give details of intended hirer or purchaser).

The tyres and tubes specified below are at present fitted to the vehicle, and are unserviceable:—

Tyres.			Tubes.	
Quantity.	Size.	Mft. Serial No.	Quantity.	Size.

place.....

(Signature of Applicant.)

Date.....

Notification No. SS/63/42, dated the 25th April, 1942 (published in the "Calcutta Gazette" of the 14th May 1942, Pt. IA, p. 373).

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

**The Tyres (Temporary Prohibition of Disposal) Order, 1942.**

1. (1) This Order may be called the Tyres (Temporary Prohibition of Disposal) Order, 1942.

(2) It extends to the whole of British India.

2. In this Order,—

(a) "dealer" means a person carrying on the business of supplying tyres, whether wholesale or retail;

- (b) "manufacturer" means a person carrying on the business of manufacturing tyres;
- (c) "motor cab" and "motor car" have the meanings assigned to these expressions by clause (15) and clause (16), respectively, of section 2 of the Motor Vehicles Act, 1939;
- (d) "tyre" means the outer cover of a pneumatic tyre in the manufacture of which rubber is used, and "tube" means the inner tube of such a tyre.

3. (1) Except as hereinafter provided no person shall, for a period of one month from the twenty-fifth day of April, 1942, dispose of, or agree to dispose of, or in pursuance of an agreement entered into before the twenty-fifth day of April, 1942, make delivery of, any unused tyre or tube intended for use on the wheel of a motor cab or motor car.

(2) The prohibition contained in sub-clause (1) shall not apply to the disposal or delivery of any tyres or tubes—

- (i) by a dealer or manufacturer to a person carrying on the business of assembling new motor cabs or new motor cars and for the sole purpose of such assembly;
- (ii) fitted to a new motor cab or new motor car and sold with it as part of its normal equipment;
- (iii) in pursuance of an agreement entered into, whether before or after the twenty-fifth day of April, 1942, with the Central Government or a Provincial Government or with any officer acting on behalf of the Central Government or of a Provincial Government; or
- (iv) in accordance with an express permission given by the Central Government or a Provincial Government.

*Notification No. LV(2)44, dated the 22nd April, 1944 (published in the "Calcutta Gazette" of the 11th May, 1944, Pt. IA, p. 126).*

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

### **The Used Motor Vehicles Control Order, 1944.<sup>1</sup>**

1. (1) This Order may be called the Used Motor Vehicles Control Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order—

"the Act" means the Motor Vehicles Act, 1939 (IV of 1939);

"certificate", in relation to a vehicle, means the certificate of registration of the vehicle issued under the Act;

"Controller" in relation to a Province means the officer appointed by the Provincial Government to be the Controller for the purposes of this Order, and includes any other officer authorised by the Provincial Government to perform any of the functions of the Controller under this Order;

"Form" means a form appended to this Order;

<sup>1</sup>This Order has been cancelled by notification No. 49-L V. C. (1)/44, dated the 23rd February 1946.

**"offer to sell"** shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a vehicle, made by the publication of a price list, by exposing the vehicle for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever;

**"recognised dealer"** means a person in respect of whom there is in force for the time being an order under clause 3 appointing him a recognised dealer;

**"scheduled sale price"**, in relation to a vehicle, means the amount specified in, or determined under, the Schedule to this Order as the sale price for that vehicle or for vehicles of the same class and year of manufacture;

**"vehicle"** means a motor car or motor cab, as defined in the Act.

3. (1) The Controller may, by order in writing, appoint such existing dealers in motor vehicles carrying on business within the Province, as he deems fit, to be recognised dealers in such class or classes of used vehicles as may be specified in the order, and may at any time by order in writing revoke or modify any such appointment.

(2) All orders made under sub-clause (1) shall be communicated by the Controller without delay to the dealers concerned.

(3) Any person aggrieved by an order of the Controller under sub-clause (1) or by his refusal to appoint such person to be a recognised dealer may, within thirty days of the date on which such order or refusal is communicated to him, appeal to such officer or authority as may be appointed by the Provincial Government in this behalf, and the decision of that officer or authority, and subject only to such decision, an order of the Controller, shall be final.

(4) The Controller shall, as soon as may be after the commencement of this Order, publish in the Official Gazette of the Province a list of recognised dealers, and shall likewise from time to time publish any amendments to that list.

4. Every person, whether a dealer or not, who at the commencement of this Order has in his possession or custody or under his control any used vehicle in respect of which the provincial motor vehicle tax has not been duly paid, or ordinary coupons for the supply of motor spirit under the Motor Spirit Rationing Order, 1941, have not been issued for the quarter ending on the 30th April, 1944, or which has for a period of not less than thirty days immediately before the commencement of this Order been out of use because of any mechanical defect, or the lack of, or defect in, any tyre, tube, battery or other essential part,—

(a) shall, within thirty days of the commencement of this Order, furnish to the Controller a statement in Form A giving all the particulars specified therein;

(b) shall not remove the vehicle, or cause or allow it to be removed, from the locality in which it is being kept, except in accordance with an order in writing of the Controller;

(c) shall not remove from the vehicle any part, accessory, tyre, or tube, except for the purpose of repairing it, or of replacing it by another not less serviceable, or of repairing the vehicle, or in accordance with an order in writing of the Controller;

- (d) shall, on demand by any person authorised by the Controller in this behalf, produce the certificate of every vehicle on his premises or under his control, and all books of accounts and other documents relating to his business, if any, as a dealer in motor vehicles, and permit any person so authorised to enter and inspect any premises used for, or in connection with, such business, and any vehicles kept therein :

Provided that nothing in this clause shall apply to any vehicle the certificate of which has been cancelled under section 34 of the Act and which has not been subsequently re-registered.

5. No person other than a recognised dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any used vehicle except by sale in accordance with the provisions of this Order to a recognised dealer, or in accordance with a permit in Form B issued by the Controller in this behalf to a person holding a permit in Form D. The Controller may, in his discretion, direct any person to whom a permit in Form B is being granted to offer the used vehicle for sale to certain specified persons out of those to whom permit in Form D have been granted. The person obtaining the permit in Form B shall comply with such direction, and may only sell the vehicle to other persons holding permits in Form D, after the persons named in the direction have declined in writing to purchase the vehicle.

6. (1) The maximum price at which any used vehicle may be sold to a recognised dealer shall be the scheduled sale price of the vehicle less the charges for repairs and replacements necessary to put the vehicle in good running order as estimated by the recognised dealer; and the maximum price at which, any used vehicle may be sold to any person other than a recognised dealer shall be the scheduled price of the vehicle.

(2) No seller of a used vehicle shall demand or receive, and no buyer of a used vehicle shall offer or pay, as consideration for the transaction any amount in excess of the maximum price prescribed in sub-clause (1).

7. Where any used vehicle is sold to a recognised dealer, he shall complete in triplicate a statement in Form C, obtain the seller's signature on all three copies in token of his acceptance of the correctness of the entries, retain the original and the first copy with himself and give the second copy to the seller. The recognised dealer shall also obtain on the original the seller's stamped receipt for the payment made.

8. No recognised dealer shall remove from any used vehicle any part, accessory, tyre or tube except for the purpose of repairing it, or of replacing it by another not less serviceable, or of repairing the vehicle, or in accordance with an order in writing of the Controller.

9. (7) Every used vehicle in the possession of a recognised dealer shall be offered for sale on completion of necessary repairs and replacements unless it is certified by the Controller in writing to be necessary for carrying on the business of the recognised dealer.

(2) When repairs and replacements have been carried out, the recognised dealer shall enter on the original and the first copy of the statement in Form C, if any, pertaining to the vehicle the cost of those repairs and replacements and the date of completion of each item.

Where the total estimated cost of repairs in column 3 of Form C exceeds the total actual cost incurred in column 4, the recognised dealer shall refund the excess to the person from whom he purchased the vehicle.

(3) Every recognised dealer shall display in a conspicuous part of his premises a list of all used vehicles available for sale and the sale price of each determined in accordance with clause 13.

(4) Every recognised dealer shall on demand by an intending purchaser holding a permit in Form D produce for his inspection the statement or statements in Form C, if any, of the vehicle or vehicles which he intends, and is authorised by the permit, to purchase.

10. (1) No recognised dealer shall sell or otherwise dispose of or offer to sell or otherwise dispose of any used vehicle except under and in accordance with a permit in Form D issued by the Controller in that behalf to the intending purchaser.

(2) A permit in Form D shall only be valid in the Province in which it is issued:

Provided that the Controller of any other Province may by counter-signing it extend its validity to that Province:

Provided further that the Controller may at any time cancel any permit in Form D issued by him.

11. (1) Any person desiring to purchase a used vehicle shall apply in Form E to the Controller of the Province in which he is residing; and the Controller may, after making such enquiries as he considers necessary, issue a permit in Form D or reject the application.

(2) In disposing of applications under this clause the Controller shall have regard to the following matters:—

- (a) whether the applicant has in his possession or under his control or at his disposal any vehicles or other conveyances and whether these are not sufficient for his requirements;
- (b) the type, make and horse-power of the vehicle which should be sufficient for his requirements;
- (c) in the case of an applicant who has not, during the six months immediately before the commencement of this Order, been owning and using a vehicle, whether his requirements cannot continue to be met otherwise than by his purchasing a vehicle;
- (d) whether the applicant has, during the six months immediately before the commencement of this Order, sold or otherwise disposed of a vehicle for a consideration substantially in excess of the price at which that vehicle could have been sold to a recognised dealer under this Order;
- (e) whether the applicant has been convicted of contravening any control order relating to motor vehicles, motor spirit, motor vehicles spare parts, or tyres and tubes; and
- (f) whether, in the interests of the efficient prosecution of the war or the maintenance of essential services, it is necessary that the applicant should be permitted to purchase a vehicle.

(3) Notwithstanding anything contained in sub-clause (2), the Controller may in his discretion issue a permit in Form D to an applicant who is infirm by reason of age or bodily disability, if—

- (a) the applicant wishes to replace a vehicle which has become unserviceable after the commencement of this Order, or
- (b) the Controller is satisfied that the infirmity has arisen after the commencement of this Order.

(4) Any person whose application has been rejected, by the Controller under sub-clause (1) may, within thirty days of the date on which the order of rejection is communicated to him appeal to such officer or authority as may be appointed by the Provincial Government in this behalf, and the decision of that officer or authority, and subject only to such decision the order of the Controller, shall be final.

12. A recognised dealer shall, if required so to do by an order in writing of the Controller, sell any used vehicle kept by him for sale to such person holding a permit in Form D as may be specified in the Order.



13. The maximum price at which any used vehicle may be sold by a recognised dealer shall be,—

- (a) in respect of a vehicle acquired by him before the commencement of this Order, the scheduled sale price of the vehicle *plus* a commission not exceeding Rs. 200 or 7½ per cent. of that price whichever is more;
- (b) in respect of a vehicle acquired by him after the commencement of this Order, the actual price paid by him under clause 6 *plus* a commission not exceeding Rs. 200 or 7½ per cent. of that price whichever is more *plus* estimated charges for repairs and replacements in column 3 of Form C; and no recognised dealer shall deemed or receive, and no purchaser shall offer or pay, a price in excess of the maximum price so determined.

*Note.*—(1) The recognised dealer shall not charge any commission on the charges for repairs and replacements carried out by him.

(2) If on account of non-availability of spare parts or materials or for any other reason, any repairs or replacements included in the estimate made under clause 6 have not been carried out by the recognised dealer, the estimated cost of such repairs or replacements shall not be included in the price.

14. If any person intending to purchase a used vehicle from a recognised dealer considers that all repairs and replacements shown as necessary in the statement in Form C in respect of that vehicle have not been carried out by the recognised dealer, he may complain to the Controller, who if satisfied of the truth of the complaint, may direct the dealer to carry out all those repairs and replacements, and the dealer shall comply with the direction:

Provided that if the Controller is satisfied that for any reason beyond his control it is not possible for the dealer to carry out all or any of those repairs and replacements the Controller may direct him to make a corresponding reduction in the sale price of the vehicle.

15. (1) Where any used vehicle is sold by a recognised dealer he shall, after obtaining the purchaser's signature on the original as well as the first copy of the statement in Form C, hand over the copy to the purchaser. The dealer shall also complete and sign Part II of the permit in Form D, and after obtaining thereon the purchaser's signature in token of his acceptance of the correctness of the entries, shall give it to the purchaser who shall produce it before the Registering Authority, together with the copy of the statement in Form C and the certificate of the vehicle, at the time of reporting the transfer under section 31 of the Act.

(2) Where any used vehicle is sold by a person other than a recognised dealer, in accordance with a permit in Form B granted by the Controller, he shall complete and sign Part II of both the permits in Forms B and D, obtain the signature of the purchaser on both the permits in token of his acceptance of the correctness of the entries, and shall give Form D and Part II of Form B to the purchaser who shall produce them before the registering authority together with the certificate of the vehicle at the time of reporting the transfer under section 31 of the Act.

(3) At the time of registering under the Act any transfer of ownership of a used vehicle, the Registering Authority shall enter in the certificate the price paid by the purchaser as stated in Part II of the permit in Form D and retain that part of the permit. When the vehicle is sold by a person other than a recognised dealer, the registering authority shall also retain Part II of the permit in Form B.

16. Every Registering Authority to which a transfer of ownership of a vehicle is reported under section 31 of the Act shall, before entering the

particulars thereof in the certificate, satisfy itself that the transfer is in conformity with the provisions of this Order or was completed before the commencement of this Order.

17. When any vehicle is sold or otherwise disposed of in accordance with the provisions of this Order the transferer shall hand over the certificate of the vehicle to the transferee.

18. For the purposes of this Order the year of manufacture and other relevant particulars pertaining to any vehicle shall be as entered in the certificate of that vehicle:

Provided that if the certificate has become illegible, or if the entry therein relating to the year of manufacture or other relevant particular is, in the opinion of the Controller, incorrect, or if no such entry has been made, the Controller may direct such additions or alterations to be made in the certificate as he may consider necessary.

19. The Controller may by notification in the Official Gazette of the Province direct recognised dealers within the Province to submit to him such returns relating to their transactions in used vehicles as may be specified in the direction; and every recognised dealer shall comply with the direction. The Controller may also by an order in writing direct a person to whom a permit in Form B has been issued to submit to him reports relating to the sale of the vehicle covered by the permit, and such person shall comply with the direction.

20. Nothing in this Order shall apply—

(a) to the purchase or acquisition of any vehicle by the Central Government or any Provincial Government, or

(b) in relation to any vehicle which is Crown property or is the property of the Government of the United States of America.

21. Any court trying a contravention of the provisions of this Order may direct that any vehicle in respect of which the court is satisfied that any such provisions has been contravened shall be forfeited to His Majesty.

## THE USED MOTOR VEHICLES CONTROL ORDER, 1944.

### The Schedule.

[For the schedule see the Gazette of India of the 23rd December, 1944, Pt. I, p. 1636.]

#### FORMS.

##### FORM A.

(See clause 4.)

*Statement under clause 4 of the Used Motor Vehicles Control Order, 1944, of motor cars and motor cabs not in regular use.*

Name and Address of person making the statement. { .....  
 .....  
 .....  
 Address of premises where vehicles are kept. { .....  
 .....  
 .....

Serial No.	Registered No.	Make.	Model year.	Horse-power.	Number of cylinders.	Type body.	Name and address of registered owner.	Manufacturer's Serial No., size and condition (whether serviceable or unserviceable) of every type.	If the vehicle is unusable owing to a defect or lack of any part, detail the defect or name of the missing part.

I hereby declare that the above is a correct statement of all motor cars and motor cabs in my

possession or custody or under my control on the 22nd April, 1944, in respect of which the provincial motor vehicle tax has not been duly paid or ordinary coupon for the supply of motor spirit under the Motor Spirit Rationing Order, 1941, have not been issued for the quarter ending on the 30th April, 1944, or which have for a period of not less than 30 days immediately before the 22nd April, 1944, been out of use because of mechanical defect or the lack of or defect in tyre, tube, battery or other essential part.

Place.....

Date .....

.....

(Signature).

### FORM B.

(See clause 5.)

*Permit under the Used Motor Vehicles Control Order, 1944, in regard to the direct sale or disposal of a vehicle.*

#### Part I.

Name .....  
residing at.....  
is hereby permitted to sell the vehicle  
described below :—

Registered No.  
Engine No.  
Chassis No.  
Year of manufacture.

(2) This permit shall remain in force until ..  
.....

Date.....

(Signature.)

Controller.....

(To be retained by Controller.)

### FORM B.

(See clause 5.)

*Permit under the Used Motor Vehicles Control Order, 1944, in regard to the direct sale or disposal of a vehicle.*

#### Part II.

Name .....  
residing at.....  
is hereby permitted to sell the vehicle  
described below :—

Registered No.  
Engine No.  
Chassis No.  
Year of manufacture.

(2) This permit shall remain in force until..  
.....  
(3) Price paid by purchaser.....

(Signature of Seller.)

(Signature of Purchaser.)

Date..... Date.....

(To be finally handed over to Registering  
Authority by purchaser.)

### FORM C.

(See clause 7.)

*Statement under clause 7 of the Used Motor Vehicle Order, 1944, of sale to a recognised dealer.*

1. Name and address of seller.....
2. Description of vehicle purchased :
  - (a) Make
  - (b) Model
  - (c) No. of cylinders
  - (d) Year of manufacture
  - (e) Horse-power
  - (f) Engine No.
  - (g) Chassis No.
  - (h) Type of body

**3. Estimate and the actual cost of repairs and replacements to be carried out :**

Part.	Condition.	Particulars of repairs or replacements necessary.		
		Estimated cost.	Actual cost incurred on completing each item of repairs estimated.	Date of completion of each item.
(a) Engine .. .. .				
(b) Electrical system .. .. .				
(c) Clutch .. .. .				
(d) Transmission and drive line .. .. .				
(e) Rear axle .. .. .				
(f) Brakes .. .. .				
(g) Front axle .. .. .				
(h) Steering .. .. .				
(i) Springs .. .. .				
(j) Accessories (describe) .. .. .				
(k) Body, including paint work .. .. .				
(l) Tyres (Note.—The number should be given).				
(m) Fenders, bumpers, etc. .. .. .				
Any other items—				
(n)				
(o)				
(p)				
(q)				
Total cost of repairs and replacements	Rs.			

**4. Calculation of price to be paid to seller:**

Price entered in Schedule .. .. .	Rs.
Deduct estimated cost of repairs and replacements .. .. .	Rs.
Price to be paid to seller .. .. .	Rs.

I have examined the particulars above and to the best of my knowledge and belief they are correct.

Signature of Seller. .. .. . Signature of Dealer.

Date .. .. . Date .. .. .

Sold under the authority of Permit No. .... dated .. .. . issue<sup>d</sup> by Controller. ....

Signature of Purchaser. .. .. . Signature of Dealer.

Date .. .. . Date .. .. .

**FORM D.**

(See clause 10.)

Permit under the Used Motor Vehicles Control Order, 1944, to purchase a vehicle.

**PART I.**

(Name) .. .. .  
residing at (address) .. .. .

is hereby permitted to purchase from any recognised dealer in the\* .. .. .  
a vehicle of the following class—

Motor car of 10 horse-power or less.

Motor car of over 10 horse power.

Station wagon.

2. Provided the conditions of the order have been complied with the transfer of ownership may be registered.

\*Here insert name of Province.

3. This order shall remain in force until.....

.....  
(Signature) Controller.

Permit No. .... date.....  
(To be handed over to Registering Authority by permit holder.)

## PART II.

Details of vehicle sold :

by (dealer's name).....  
residing at (address).....

to (purchaser's name).....  
residing at (address).....

- (a) Class
- (b) Make
- (c) Horse-power
- (d) Number of cylinders
- (e) Year of manufacture
- (f) Registration No.
- (g) Price paid (in words)

.....  
Purchaser's signature

.....  
Dealer's signature.

Date .....

Date.....

(To be handed over to Registering Authority by the permit holder.)

## FORM E.

(See clause 11.)

*Application for permit to purchase a vehicle under the Used Motor Vehicles Control Order, 1944.*

To

The Provincial Motor Transport Controller,

Sir,

I hereby apply for a permit in Form C to purchase a vehicle. Particulars of the case are as follows :—

- (a) Name and address
- (b) Official designation or occupation
- (c) Class of vehicle required  
*Motor car of 10 horse-power or less.*  
*Motor car of over 10 horse-power or less.*  
*Station wagon.*

(d) Whether vehicle will be owned by applicant or by Government.

(e) Whether vehicle will be used by any persons or officers other than applicant.

(f) Full particulars of purpose and journeys for which vehicles will be used, and why the journeys cannot be performed by train, public road vehicle or any other alternative means of transport.

(g) Particulars of any other motor car or motor cycle in the applicant's possession or in the possession of his firm or department or any member of his family which is available for his use.

(h) Particulars of any vehicle owned or used by applicant/department during the past six months and sold or transferred, with reasons for sale or transfer and price if sold.

(i) Whether applicant has any specific vehicle in mind and, if so, particulars.

Other relevant matter.

I declare that the above is a full and true statement of the case.

Date.....

Signature.

### (XI) Oilseeds, Oil and Oilcakes.

Notification No. P. & S. C. 75/43, dated the 29th May, 1943 (published in the "Calcutta Gazette" of the 24th June, 1943, Pt. 1A, p. 245).

Whereas it appears to the Central Government to be expedient, for securing the efficient prosecution of the war and for maintaining supplies essential to the life of the community, to prohibit certain transactions in oilseeds :

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely :—

1. (1) This Order may be called the Oilseeds (Forward Contracts Prohibition) Order, 1943.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order—

(i) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of oilseeds;

(ii) "forward contract" means a contract for the delivery of oilseeds at some future date;

<sup>1</sup>[(iii) "oilseeds" means any of the oilseeds for the time being specified in the first column of the schedule to this Order;

(iv) "specified date" in relation to any oilseeds means the date specified against those oil seeds in the second column of the schedule to this Order.]

3. No person shall, after the specified date for any class of oilseeds, enter into any forward contract in any of those oilseeds.

4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an Association relating to any contract,—

(1) every forward contract in any class of oilseeds outstanding at the close of business on the specified date shall be deemed to be closed out at such rate as the Central Government may by notification in the Official Gazette fix in this behalf, and different rates may be fixed for different classes of contracts;

<sup>1</sup>Added by notification No. P. & S. C. 75(A)/3/43, dated the 29th January, 1944.

- (2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;
- (3) payment of all differences legally due from a member of an Association to another member of such Association in respect of any forward contract closed out under this clause shall be made to the Clearing House of the Association and for the purposes of calculating such differences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be the settlement rate fixed by the Association under its bye-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.
5. The Central Government may, by notification in the official Gazette, exclude any contract or class of contracts from the provisions of this Order.

### Schedule.

(See clause 2.)

Oil seeds.	Specified date.
1. Groundnut .. ..	} 31st May, 1943.
2. Linseed .. ..	
3. Mustard seed .. ..	
4. Rape seed ( <i>Toria</i> ) .. ..	
5. Castor seed .. ..	} 6th September, 1943.
6. Cotton seed .. ..	
7. Sesamum ( <i>Til</i> or <i>Jinjili</i> ) .. ..	} 2nd February.
8. Copra .. ..	

*Notification No. P. & S. C. 75(3)/43, dated the 2nd June, 1943 (published in the "Calcutta Gazette" of the 24th June, 1943, Pt. 1A, p. 248).*

In pursuance of clause 4 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to fix in respect of forward contracts outstanding at the close of business on the 31st May, 1943, for the classes of oilseeds mentioned in the first column of the Schedule hereto annexed the rate mentioned in the second column thereof.

### Schedule.

Class of oilseed.	Rate.
Ground-nut, Linseed, Mustard seed, Rape seed or <i>Toria</i> seed forming the basis of any Forward Contract, not being a Forward Contract exempted under clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943.	The market rate applicable to the contract at the close of business on the 31st May, 1943.

*Notification No. P. & S. C. 75(2)/43, dated the 2nd June, 1943 (published in the "Calcutta Gazette" of the 24th June, 1943, Pt. 1, p. 246).*

In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude the following class of contracts from the provisions of the said Order, namely:—

"Forward contracts for groundnut, linseed, mustard seed, rape seed or *toria* seed of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties."

<sup>1</sup>Added by notification No. P. & S. O. 75(A)/3/43, dated the 29th January, 1944.

**Notification No. P. & S. C. 75(A)/1/43, dated the 26th July, 1943 (published in the "Gazette of India" of the 31st July, 1943).**

In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude the following class of contracts from the provisions of the said Order, namely:—

"Forward contractors for castor seed, cotton seed or sesamum (til or jinjili) of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties."

**Notification No. P. & S. C. 75(A)4/43, dated the 29th January, 1944 (published in the "Gazette of India" of the 29th January, 1944, Pt. I, p. 111).**

In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude the following class of contracts from the provisions of the said Order, namely:—

"Forward contracts for copra of specific qualities or types and for specific delivery, at a specific price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties."

**Notification No. P. & S. C. 75(A)5/43, dated the 29th January, 1944 (published in the "Gazette of India" of the 29th January, 1944, Pt. I, p. 111).**

In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude from the provisions of the said Order all contracts for the delivery at some future date of oilseeds to Government or any authorised officer of Government.

**Notification No. P. & S. C. 1/44, dated the 8th January, 1944 (published in the "Gazette of India" of the 8th January, 1944, Pt. I, p. 32).**

Whereas it appears to the Central Government to be expedient, for securing the efficient prosecution of the war and for maintaining supplies essential to the life of the community, to prohibit certain transactions in vegetable oils and oilcakes:

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Vegetable Oils and Oilcakes (Forward Contracts Prohibition) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order,—

(i) "article to which this Order applies" means any of the vegetable oils (whether raw, refined or solidified) or oilcakes specified in the first column of the Schedule to this Order;

(ii) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of any article to which this Order applies;

(iii) "forward contract" means a contract for the delivery at some future date of any article to which this Order applies;



(iv) "specified date" in relation to any article to which this Order applies means the date specified against that article in the second column of the Schedule to this Order.

3. No person shall, after the specified date for any article to which this Order applies, enter into any forward contract in that article.

4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an Association relating to any contract,—

(1) every forward contract in any article to which this Order applies outstanding at the close of business on the specified date shall be deemed to be closed out at such rate as the Central Government may by notification in the Official Gazette fix in this behalf, and different rates may be fixed for different classes of contracts;

(2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;

(3) payment of all differences legally due from a member of an Association to another member of such Association in respect of any forward contract closed out under this clause shall be made to the Clearing House of the Association and for the purposes of calculating such differences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be the settlement rate fixed by the Association under its bye-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.

5. The Central Government may, by notification in the Official Gazette, exclude any contract or class of contracts from the provisions of this Order.

### The Schedule.

[See clause 2]

Articles to which this Order applies.	Specified date.
1. Vegetable oil—	
(i) Groundnut oil .. ..	} 12th January, 1944.
(ii) Linseed oil .. ..	
(iii) Mustard oil .. ..	
(iv) Rapeseed oil .. ..	
(v) Castor oil .. ..	
(vi) Cotton seed oil .. ..	
(vii) Sesamum ( <i>Til</i> or <i>Jinjili</i> ) oil .. ..	
(viii) Coconut oil .. ..	
2. Oil cakes—	
(i) Groundnut cake .. ..	} 12th January, 1944.
(ii) Linseed cake .. ..	
(iii) Mustard cake .. ..	
(iv) Rapeseed cake .. ..	
(v) Castor cake .. ..	
(vi) Cotton cake .. ..	
(vii) Sesamum cake .. ..	
(viii) Coconut cake .. ..	

Notification No. P. & S. C. 1(A)/44, dated the 8th January, 1944 (published in the "Gazette of India" of the 8th January, 1944, Pt. 1, p. 32).

In exercise of the powers conferred by clause 5 of the Vegetable Oils and Oilcakes (Forward Contracts Prohibition) Order, 1944, the Central

Government is pleased to exclude the following class of contracts from the provisions of the said Order, namely:—

Forward contracts for specific qualities or types of any article to which the said Order applies, and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

*Notification No. P. & S. C. 1(C)/44, dated the 22nd January, 1944 (published in the "Gazette of India" of the 22nd January, 1944, Pt. 1, p. 88).*

In exercise of the powers conferred by clause 5 of the Vegetable Oils and Oilcakes (Forward Contracts Prohibition) Order, 1944, the Central Government is pleased to exclude from the provisions of the said Order all contracts for the delivery at some future date of vegetable oils or oilcakes to Government or any authorised officer of Government '[or any person authorised by the Government of India in the Supply Department in this behalf].

*Notification No. 2-V P(2)/45, dated the 10th February, 1945 (published in the "Gazette of India" of the 10th February, 1945, Pt. 1, p. 161).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

#### VEGETABLE OIL PRODUCTS CONTROL ORDER.

1. (1) This Order may be called the Vegetable Oil Products Control Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Controller" means the person appointed as the Vegetable Oil Products Controller for India by the Central Government, and includes any person authorised by the Controller to exercise all or any of the powers of the Controller under this Order;

(b) "dealer" means a person carrying on business in the purchase, sale or distribution of any vegetable oil product;

(c) "producer" means a person carrying on the business of manufacturing any vegetable oil product;

(d) "recognised dealer" means a dealer recognised as such by the Controller for the purposes of this Order;

(e) "vegetable oil product" means any vegetable oil subjected to a process of hydrogenation in any form, or any preparation thereof for cooking purposes containing not less than 50 per cent. of hydrogenated vegetable oil.

3. No producer shall, after such date as the Controller may notify in this behalf, dispose of, or agree to dispose of, or in pursuance of any agreement entered into on or before such date make delivery of, any vegetable oil product except—

(a) to or through a recognised dealer, or

- (b) to a person specially authorised in this behalf by the Controller to acquire vegetable oil products on behalf of the Central Government or of a Provincial Government or of an Indian State; and no person other than a recognised dealer shall, after the date notified by the Controller, carry on business in the purchase, sale or distribution of any vegetable oil product.

4. (1) The Controller may by general or special order prohibit or restrict the manufacture of any variety or quality of vegetable oil product, and no producer to whom such order applies shall manufacture any vegetable oil product in contravention thereof.

(2) Every producer shall furnish the Controller with such details regarding—

- (a) the quantities and varieties of vegetable oil products manufactured by him; and
- (b) the ingredients used in their manufacture and the sources from which the ingredients are obtained, as the Controller may require.

5. (1) Every producer and every recognised dealer shall comply with such directions regarding the sales, stocks and distribution of vegetable oil products as may from time to time be given to him by the Controller.

(2) Every producer and every recognised dealer shall furnish the Controller with such details regarding the quantities and varieties of vegetable oil products produced, stocked or sold by him, during any period as the Controller may require.

6. (1) The Controller may from time to time by notification in the Official Gazette fix the maximum prices at which vegetable oil products may be sold, and the prices so fixed may be different in different localities and for different classes of transactions.

(2) No person shall buy or sell, or agree to buy or sell any vegetable oil product at a price exceeding the maximum fixed under sub-clause (1).

(3) Where in respect of any vegetable oil product a maximum price has been fixed under sub-clause (1), no such vegetable oil product shall be delivered or accepted in pursuance of an agreement entered into before such fixing of maximum price and providing for the payment of a price higher than that maximum, unless the agreement is so revised as to substitute for the price originally agreed a price not exceeding the maximum fixed under sub-clause (1).

7. (1) The Controller may from time to time—

- (a) allot quotas of vegetable oil products for the requirements of any specified Province, area or market;
- (b) issue directions to any producer or dealer to supply vegetable oil products to such Provinces, areas or markets, in such quantities, of such types or varieties, at such times, at such prices and in such manner, as many be specified in the direction; and
- (c) require any producer or recognised dealer to keep in reserve stocks of vegetable oil products in such quantities and of such types and varieties as he may direct from time to time.

(2) Every producer and every dealer shall, notwithstanding any pre-existing agreement, give priority to, and comply with, the directions issued to him under sub-clause (1).

8. (1) No vegetable oil product shall, after such date as the Controller may notify in this behalf, be offered by any person for transport, whether

by land or water or accepted by any railway administration or other carrier for transport except under and in accordance with the condition of a permit issued by the Controller in that behalf:

Provided that the above restriction shall not apply to the transport of any vegetable oil products (a) not exceeding 5 seers by a *bona fide* traveller as part of his personal luggage, or (b) under and in accordance with military credit notes, or (c) under and in accordance with a permit issued by a Provincial Authority before the date notified by the Controller or (d) in accordance with such general permits as may from time to time be notified by the Controller.

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller, if so required by him, on completion of despatch, or on expiry of the period of its validity, whichever is earlier with the particulars of actual despatches noted on it in such form as may be prescribed by the Controller.

9. Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any stock of vegetable oil product in respect of which it is satisfied that this Order has been contravened, together with the receptacles in which the stock is contained, shall be forfeited to His Majesty.

*Notification No. 6-VP(1)/45, dated the 28th April, 1945 (published in the "Gazette of India" of the 28th April, 1945, Pt. I, p. 510).*

In exercise of the powers conferred upon me by sub-clause (1) of clause 6 of the Vegetable Oil Products Control Order, 1945, and in supersession of the Notification of the Government of India in the Department of Food, No. 6-VP(1)/45, dated the 10th February, 1945, I hereby fix as follows the maximum prices at which vegetable oil products may be sold with effect from the 1st May, 1945:—

## I

Locality of sale.	Maximum price per lb. net of vegetable oil product.		
	When sold by producer or producer's distributing agent either loose or in large packs.	When sold by any other person.	
		In large packs.	Loose in small quantities.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
1. Bombay town and suburbs ..	0 8 6	0 9 3	0 10 0
2. Bombay province (excluding Bombay town and suburbs), Madras, the Central Provinces and Berar, Coorg and Panth-Piploda.	0 9 0	0 9 9	0 10 6
3. The Punjab, the United Provinces, the North Western Frontier Province, Bihar, Sind, Baluchistan, Delhi and Ajmer.	0 10 0	0 10 9	0 11 6
4. Bengal, Assam and Orissa	0 10 3	0 11 0	0 11 9

*Note.*—"Large packs" are packs (in producer's original sealed container) containing not less than 35 lbs. net of the product.

Description.	Maximum price per pack of vegetable oil products when sold in small packs.	
	Wholesale.	Retail.
	Rs. s. p.	Rs. s. p.
Packs containing 10 lbs. . . . .	7 4 0	7 10 0
Packs containing 9 lbs. . . . .	6 10 0	6 15 6
Packs containing 5 lbs. . . . .	3 13 9	4 1 0
Packs containing 3 lbs. . . . .	2 8 6	2 10 6
Packs containing 2 lbs. . . . .	1 9 6	1 11 0
Packs containing 1 lb. . . . .	0 13 0	0 13 9

*Note.*—The maximum prices specified above under I and II are inclusive of freight, but exclusive of octrol, terminal tax and other similar local taxes and also of sales tax.

When any such tax is paid whether by the manufacturer, his distributing agent, a wholesaler or a retailer the maximum price as fixed above in respect of any transaction may be increased by an amount equal to the total of the taxes so paid at or before that transaction, and may after the increase be rounded off to the nearest pice.

*Notification No. 5-VP(1)/45, dated the 28th July, 1945 (published in the "Gazette of India" of the 28th July, 1945, Pt. I, p. 985).*

In exercise of the powers conferred by sub-clause (1) of clause 4 of the Vegetable Oil Products Control Order, 1945, the Vegetable Oil Products Controller for India, hereby prohibits the manufacture of any vegetable oil products, which does not conform to the following particulars, namely:—

1. It shall not contain any harmful colouring or flavouring matter.
2. It shall not have moisture exceeding 0.25 per cent.
3. The melting point as estimated by the capillary Tube method (complete fusion) shall be between 31°C to 41°C.
4. The B. R. Reading at 40°C shall not be less than 48.0.
5. It shall not have unsaponifiable matter exceeding 1.5 per cent.
6. It shall not have free fatty acids (calculated as oleic acid) exceeding 0.25 per cent.
7. Diacetyl, if present, shall not be in excess of six parts per million.
8. The product on melting shall be clear in appearance. Its taste shall be free from staleness or rancidity.

**(xii) PAPER AND NEWSPAPER.**

*Notification No. N. P.—10(46)/45, dated the 9th February, 1946 (published in the "Calcutta Gazette" of the 28th February, 1946, Pt. I A, p. 55).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the Newspaper Control Order, 1944, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the Order shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note explaining its provisions :—

**The Newspaper Control Order, 1946.**

1. (1) This Order may be called the Newspaper Control Order, 1946.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 9th February, 1946.
2. In this Order—
  - (a) "newspaper" means any periodical publication printed on newsprint.
  - (b) "newsprint" has the same meaning as in the Newsprint Control Order, 1941.
  - (c) "daily newspaper" means a newspaper which is published on not less than 5 days in a week.
3. No person shall publish a newspaper any page of which, including margins and other spaces clear of print, exceeds 432 square inches in area.
4. No person shall print or make or publish except under the authority in writing of the Central Government any newspaper that was not both printed or made in British India and regularly published therein during the month immediately preceding the 18th February 1943.
5. No person shall change the name, the place of printing or making, or the place of publication, of any newspaper without the previous permission in writing of the Central Government.
6. No person shall acquire any rights of ownership of any newspaper without the previous permission in writing of the Central Government.
7. No person shall print, make or publish any newspaper of a type specified in the first column of the Schedule appended to this Order, in which the percentage of space used or assigned for advertising matter (including any loose advertising matter which may be inserted therein) exceeds the percentage specified opposite that description in the second column of that Schedule of the total space used or assigned for matter of any sort in the aggregate of the number or consecutive issue so specified in the third column of that Schedule.

8. No person shall charge for a daily newspaper at rates exceeding those specified in the following table:—

Total number of pages in the issues of one calendar week.

Where newspaper is published on all days of the week.	Where newspaper is not published on one or two days of the week.	Maximum price per copy.
Not less than 56 .. ..	Not less than 48 .. ..	2 annas.
Less than 56 but not less than 42 .. ..	Less than 48 but not less than 36.	1½ annas.
Less than 42 but not less than 28 .. ..	Less than 36 but not less than 24.	1 anna.
Less than 28 .. ..	Less than 24 .. ..	¾ anna.

#### Schedule.

(See Clause 7.)

Column I. Type of newspaper.	Column II. Maximum percentage of total space to be reserved or assigned for advertisement matter.	Column III. No. of consecutive issues for which such percentage is to be assigned.
Daily newspaper .. ..	45%	14
Weekly, bi-weekly or tri-weekly newspaper .. ..	50%	24
Tri-monthly or fortnightly newspaper .. ..	50%	12
Any other newspaper .. ..	45%	Each issue.

*Notification No. 104-Ind.(4)41, dated the 31st May, 1941.*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

#### Newsprint Control Order, 1941.

1. *Short Title.*—This Order may be called the Newsprint Control Order, 1941.

2. *Definitions.*—In this Order,—

(a) “Form” means a Form appended to this Order;

(b) “newsprint” means white printing paper, in reels or in sheets, the fibre content of which comprises not less than 70 *per cent.* of mechanical wood pulp and which weighs not less than 40 grammes per square metre.

3. *Restriction on sale, purchase and use of newsprint.*—(1) No person shall sell newsprint to any one who is not the proprietor of a newspaper except under an Open General Permit issued by the Central Government or under a permit in Form I granted by the Central Government or by an officer authorised by the Central Government in this behalf.

(2) No person shall sell or otherwise dispose of newsprint to the proprietor of a newspaper except to the extent to which such proprietor is authorised to purchase or acquire under the provisions of this clause.

(3) No proprietor of a newspaper shall after the.....April, 1943, purchase or otherwise acquire newsprint from any person in India except under and in accordance with the conditions of a permit issued to such proprietor after the 31st March, 1943.

(4) No proprietor of a newspaper shall, during any period after the .....April, 1943, use newsprint in excess of the quantity which he is authorised to use during that period under a permit issued to him in this behalf.

(5) No proprietor of a newspaper or of a newspaper press shall use newsprint for any purpose other than the printing of newspapers except under an Open General Permit issued by the Central Government or under permit in Form II granted by the Central Government or by an officer authorised by the Central Government in this behalf.

*Explanation.*—In this sub-clause “newspaper” includes any supplement or annual edition of a newspaper, but does not include a poster.

<sup>1</sup>(6) No person who is not the proprietor of a newspaper shall buy newsprint except under a permit in Form I and no such person shall use any newsprint bought by him under such permit for any purpose other than that mentioned in the permit.

3A. *Power to require sale of newsprint.*—The Central Government may, if it considers it necessary or expedient, direct any person to sell or otherwise transfer any newsprint in his possession or under his control to such other person as may be specified in the direction, and thereupon the first named person shall comply with the direction.

3B. *Submission of returns by importers of newsprint.*—Every proprietor of a newspaper who imports or otherwise acquires newsprint from outside India shall within three days of such import or acquisition send an intimation in writing to the Chief Controller of Imports giving full details as to the quantity of newsprint so imported or acquired and the source from which it was so imported or acquired.

4. *Submission of returns by proprietors of newspaper presses.*—Every proprietor of a newspaper press shall submit to the Secretary to the Government of India in the Department of Commerce—

(a) not later than the 30th June, 1941, a true return in Form III, in respect of each newspaper printed at his press, and

---

<sup>1</sup>Inserted by notification No. N-2(2)/44, dated the 16th September, 1944.



- (b) on or before <sup>1</sup>[the 7th day of every month commencing with the 7th December, 1943,] a true return in Form IV of the amounts of newsprint held, acquired, consumed and otherwise disposed of by him during the preceding calendar month.

5. *Submission of returns by proprietors of newspapers.*—Every proprietor of a newspaper shall submit to the Chief Controller of Imports, Imperial Secretariat, New Delhi, on or before <sup>1</sup>[the 7th day of every month commencing with the 7th December, 1943,] a true return in Form IV of the amounts of newsprint held, acquired, consumed and otherwise disposed of by him during the preceding calendar month.

<sup>2</sup>5A. *Submission of returns by persons to whom newsprint is sold under Form I.*—Every person to whom newsprint has been sold under Form I shall on or before the 7th day of every month commencing from the date of purchase submit to the Controller of Newsprint, Simla, a true return in Form VII of the newsprint in his possession till the quantity is exhausted.

6. *Submission of returns by proprietors of newspapers first published in 1941.*—Every proprietor of a newspaper first published in 1941 shall submit to the Chief Controller of Imports, Imperial Secretariat, New Delhi, not later than the 30th September, 1941, a true return in Form III-A in respect of each such newspaper.

7. *Submission of returns by other persons.*—Every person, other than the proprietor of a newspaper press or of a newspaper, carrying on any undertaking which involves the sale, storage or distribution of newsprint, shall, on or before <sup>1</sup>[the 7th day of every month commencing with the 7th December, 1943,] submit to the Secretary to the Government of India in the Department of Commerce—

- (a) a true return in Form V of sales of newsprint effected by him during the preceding calendar month, and

- (b) a true return in Form VI of the stocks of newsprint held, acquired and disposed of by him, during the preceding calendar month.

8. The returns required by clause (b) of paragraph 4 and by paragraph 7 shall, after the 19th July, 1941, be submitted to the Chief Controller of Imports, Imperial Secretariat, New Delhi.

9. Notwithstanding anything to the contrary in this Order, the intimation required to be sent by paragraph 3B and the returns required to be submitted by clause (b) of paragraph 4 and by paragraphs 5 and 7 shall, after the 22nd May, 1943, be submitted to the Controller of Newsprint, New Delhi.

<sup>3</sup>10. The Central Government may, in any special case, authorise in writing the doing of any act which would otherwise be prohibited by this Order.

<sup>1</sup>Substituted by notification No. N-171/43, dated the 27th November, 1943.

<sup>2</sup>Inserted by notification No. N-2(2)/44, dated the 16th September, 1944.

<sup>3</sup>Inserted by notification No. N-171/43, dated the 27th November, 1943.

<sup>1</sup>Substituted by notification No. N-2(2)/44, dated the 16th September, 1944.

***Dated,***.....

**FORM III.**  
**NEWSPRINT CONTROL ORDER, 1941.**

[Paragraph 4(a).]

Name of the newspaper press.....

Full address.....

I/We declare that the following is a true account in respect of the

(Name of newspaper.)

1: Consumption of newsprint during the year ending December, 1940 :—

(a) In reels (No.)..... In tons.....

(b) In sheets (Reams)..... In tons.....

2. Size of the page of newspaper.....

3. Average number of pages of the newspaper in the year 1940

4. Number of issues of the newspaper in the year 1940.....

*Note.*—A separate return should be made in this Form in respect of each newspaper.

*Signature.*

*Date*.....

**FORM III-A.**

**NEWSPRINT CONTROL ORDER, 1941.**

(Paragraph 6.)

Name of the newspaper.....

Full address.....

I/We declare that the following is a true account in respect of the

(Name of newspaper.)

1. Date on which the newspaper was started.....

2. Consumption of newsprint from the date of first issue to 31st August, 1941 :—

(a) In reels (No.)..... In tons.....

(b) In sheets (No. of reams)..... In tons.....

3. Size of the page of newspaper.....

4. Average number of pages per issue of the newspaper from the date of first issue to the 31st August, 1941, .....

5. Number of issues of the newspaper from the date of first issue to the 31st August, 1941, .....

6. Name of press in which newspaper is printed.....

*Note.*—A separate return should be made in this Form in respect of each newspaper.

*Signature.*

*Date*.....

## FORM IV.

## NEWSPRINT CONTROL ORDER, 1941.

[Paragraph 4(b).]

*Return of consumption of newsprint for the month of.....194*

Name of the newspaper press or newspaper.....

Full address.....

I/We declare that the following is a true account of the stock of newsprint held, acquired, consumed and otherwise disposed of by me/us during the month of.....194 .

	Newsprint in reels.		Newsprint in sheets.	
	No. of reels.	Weight in tons.	No. of reams.	Weight in tons.
1. Amount of stock in hand at the end of the last preceding month .. ..				
2. Amount of stock acquired during the month from .. ..				
3. Total of items 1 and 2 .. ..				
4. Amount of stock consumed during the month in the production of newspaper				
5. Amount of stock otherwise disposed of during the month .. ..				
To (a) .. ..				
6. Total of items 4 and 5 .. ..				
7. Amount under item 3 less amount under item 6, being amount in stock at the end of the month .. ..				

*N.B.—(a)* Here enter names of persons or proprietors of newspaper presses or newspapers.

Date.

Signature.

## FORM V.

## NEWSPRINT CONTROL ORDER, 1941.

[Paragraph 7(a).]

*Return of sales of newsprint for the month of.....194*

Name.....

Full address.

I/We declare that the following is a true account of the sales of newsprint effected by me/us during the month of.....194.

To whom sold (with full address).	Number and date of			Quantity in reels.		Quantity in sheets.		Price.
	Permit issued to the proprietor of Newspaper.  [Paragraph 3(2).]	Permit to sell Newsprint.  (Form I.)	Open General Permit.  [Paragraph 3(1).]	No. of reels.	Weight in tons.	No. of reams.	Weight in tons.	

Date.

Signature.

## FORM VI.

## NEWSPRINT CONTROL ORDER, 1941.

(Paragraph 7.)

*Return of stocks of newsprint for the month of.....194*

Name.....

Full address.....

I/We declare that the following is a true account of the stocks of newsprint held, acquired and disposed of by me/us during the month of .....194 .

	Newsprint in reels.		Newsprint in sheets.	
	No. of reels.	Weight in tons.	No. of reams.	Weight in tons.
1. Amount of stock in hand at the end of the last preceding month .. ..				
2. Amount of stock acquired during the month .. ..				
3. Total of items 1 and 2 .. ..				
4. Amount of stocks disposed of during the month .. ..				
5. Amount under item 3 less amount under item 4, being amount in stock at the end of the month .. ..				

Date.

Signature.

**FORM VII.****THE NEWSPRINT CONTROL ORDER.**

(Clause 5A.)

*Return of stocks of newsprint for the month of.....194*

Name.....Full address.....

I/We declare that the following is a true account of the stocks of newsprint held, acquired and used by me/us during the month of .....194 .

	Newsprint in reels.		Newsprint in sheets.	
	No. of reels.	Weight in tons.	No. of reams.	Weight in tons.
1. Amount of stock in hand at the last preceding month.				
2. Amount of stock acquired during the month.....				
3. Total of items 1 and 2 .. ..				
4. Amount of stocks used during the month				
5. Amount under item 3 less amount under item 4, being amount in stock at the end of the month.				

Date.

Signature.

*Notification No. 104-Ind.(4)/41, dated the 15th August, 1941.*

The following Open General Permit issued by the Central Government under paragraph 3 of the notification of the Government of India in the Department of Commerce No. 104-Ind.(4)/41, dated the 31st May, 1941, is published for general information.

**Newsprint Control Order, 1941.****OPEN GENERAL PERMIT No. 1.**

In pursuance of paragraph 3 of the Newsprint Control Order, 1941, the Central Government gives general permission to all persons, other than proprietors of newspaper presses, to sell to any person any newsprint except such as has been covered by:—

- (a) a special licence issued to the proprietor of a newspaper under clause (vii) of Notification of the Government of India in the Commerce Department No. 1-I.T.C./40, dated 20th May, 1940, or
- (b) a special licence issued under the said clause to a person other than the proprietor of a newspaper, but on account of and against an import quota for newsprint allotted by the Chief Controller of Imports to the proprietor of a newspaper.

<sup>1</sup>Added by notification No. N-2(2)/44, dated the 16th September, 1944.



*Notification No. 302-P(9)/44, dated the 12th June, 1944 (published in the "Gazette of India, Extraordinary" of the 12th June, 1944, p. 1102).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

**The Paper Control (Distribution) Order, 1944.**

1. (1) This Order may be called the Paper Control (Distribution) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. Nothing in this Order shall apply to newsprint as defined in Newsprint Control Order, 1941.

3. In this Order, unless there is anything repugnant in the subject or context,—

(a) "paper" includes all descriptions (whether homogeneous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fibreboard, cellulose wadding, cellulose film and other similar materials, whether imported or manufactured in India, which are manufactured wholly, or mainly either from vegetable fibres or pulp thereof or both from such fibres and such pulp;

(b) "manufacturer of paper" means any person who manufactures paper and whose manufacturing capacity amounts to 10 tons or more per month;

(c) "Form" means a form appended to this Order;

(d) "importer" means a person importing paper into India whether under a licence granted by the Central Government or otherwise from outside India.

4. No manufacturer of paper shall distribute, sell or otherwise dispose of any portion of his production which has not been reserved for the use of Government except in accordance with the instructions of the Central Government:

Provided that until instructions under this clause are issued, distribution, sale and disposal may be made as heretofore.

5. Every manufacturer of paper shall submit to the <sup>1</sup>[Central Government] not later than 15th July, 1944, a true return in Form I of the quantity of paper manufactured, distributed, sold or otherwise disposed of by him during each of the years 1939 and 1943.

6. Every manufacturer of paper shall submit to the <sup>1</sup>[Central Government] on or before the 15th day of every month a true return in Form II of paper held in stock, manufactured, despatched, distributed, sold or otherwise disposed of during the preceding calendar month.

7. No importer of paper shall, distribute, sell, consume or otherwise dispose of any paper except in accordance with the instructions of the Central Government:

Provided that until instructions under this clause are issued, distribution, sale, consumption and disposal may take place as heretofore.

8. Every importer of paper shall submit to the <sup>1</sup>[Central Government] not later than the 15th July, 1944, a true return in Form III of paper distributed, sold, consumed or otherwise disposed of by him in each of the years 1939 and 1943.

<sup>1</sup>Substituted by notification No. 300-P.A.(1)/46, dated the 26th February, 1946.

9. Every importer of paper shall submit to the '[Central Government]' not later than the '[15th]' day of every month a true return in Form IV of the paper held in stock, imported, consumed, distributed, sold or otherwise disposed of during the preceding calendar month.

10. Every importer of paper who imports paper from outside India shall within three days of the release of the consignment by the customs authorities send an intimation in writing to the '[Central Government]' giving full details of the consignments imported by him, including in particular the variety and the weight of each variety of paper imported.

11. Every person, other than a manufacturer or an importer of paper, holding stock of paper in excess of one ton on the 12th June, 1944, shall submit not later than the 15th day of July, 1944, to the '[Central Government]' a true return in Form V of the quantity of paper held in stock by him on the 12th June, 1944.

12. The Central Government may by notification in the official Gazette empower any authority to exercise any of the powers conferred upon it by the provisions of this Order.

13. Any officer empowered in this behalf by the Central Government may—

- (a) direct a manufacturer or importer of paper or any other person carrying on any transactions connected with paper to maintain such records relating to paper as he may specify;
- (b) direct a manufacturer or importer of paper or any other person carrying on any transactions connected with paper to furnish and to maintain such information as he may specify;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of any manufacturer or importer of paper or of any other person carrying on any transactions connected with paper;
- (d) enter and search, or authorise any person to enter and search, any premises;
- (e) seize or authorise the seizure of any paper in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

14. Any Court trying a contravention of this Order may, without prejudice to any sentence which it may pass, direct that any paper in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

### FORM I.

#### PAPER CONTROL (DISTRIBUTION) ORDER, 1944.

(Clause 5.)

To be submitted by manufacturers of paper.

*Return for 1939 and 1943.*

Name of the manufacturer of paper.....

Full address.....

I/We declare that the following is a true account of the quantity of paper manufactured, distributed, sold or otherwise disposed of by me/us during each of the years 1939 and 1943.

\*Substituted by notification No. 300-P.A(1)/46, dated the 26th February, 1946.

\*Substituted by Notification No. 302-P.(27)/44, dated the 29th July, 1944.

*A.—Summary statement of the quantity of paper manufactured, distributed, sold or otherwise disposed of during 1939 and 1943.*

	1939.	1943.
	Tons.	Tons.
1. Quantity of paper sold or otherwise disposed of to the Central Government, Provincial Governments, Governments of Indian States, or any persons specially authorised by the Controller of Printing and Stationery, India.		
2. Quantity of paper distributed, sold or otherwise disposed of to persons other than those specified under item 1 above.		
Total ..		
3. Quantity of paper manufactured .. ..		

*B.—Particulars relating to the quantity of paper distributed through authorised distributors or agent of the manufactures.*

Name and full address of the authorised distributor or agent.	Territory assigned to the authorised distributor or agent.	Quantity of paper distributed, sold or otherwise disposed of through the authorised distributor or agent.			Total.
		Variety of paper....	Variety of paper....	(*)	
		Tons.	Tons.	Tons.	Tons.
	I. Particulars relating to 1939.				
	Total for 1939				
	II. Particulars relating to 1943.				
	Total for 1943				

*Notes of raw paper should be entered in a separate column in this space.*

*C.—Particulars of paper distributed, sold or otherwise disposed of to or through persons other than authorised distributors or agents.*

Name and address of the persons to whom or through whom paper distributed, sold or disposed of otherwise.	Quantity of paper distributed, sold or otherwise disposed of			Total.
	Variety of paper.....	Variety of paper.....	(*)	
	Tons.	Tons.	Tons.	Tons.
I. Particulars relating to 1939.				
Total ..				
II. Particulars relating to 1943.				
Total ..				

Note.—In tables B and C the variety of paper should be entered in the space left blank for this purpose. The names of authorised agents and distributors or of persons to whom or through whom paper is distributed, sold or otherwise disposed of, should be arranged in each table in such a manner as to place all firms belonging to the same Province in consecutive order.

(\*) Each variety of paper should be entered in a separate column in this space.

Dated.....194 .

*Signature of the manufacturer.*

**FORM II.**

**PAPER CONTROL (DISTRIBUTION) ORDER, 1944.**

(Clause 6.)

To be submitted by manufacturers of paper.

Return for the month of.....194....

Name of the manufacturer.....

Full address.....

I/We declare that the following is true account of the paper held in stock, manufactured, despatched, distributed, sold or otherwise disposed of by me/us during the month of.....194 .

*A.—Particulars relating to stock.*

Variety of paper.	Quantity of stock in hand at the end of last preceding month.		Quantity manufactured during the month.		Total of cols. (2) and (3).
	For Government use.	For non-Government use.	For Government use.	For non-Government use.	
1	2		3		4
	Tons.	Tons.	Tons.	Tons.	Tons.

Quantity distributed, sold or otherwise disposed of during the month.		Quantity in stock at the end of the month (quantity under col. 4 less quantity under col. 5).			
For Government use.	For non-Government use.	For Government use.		For non-Government use.	
		Quantity.	Address at which held.	Quantity.	Address at which held.
5		6			
Tons.	Tons.	Tons.		Tons.	

*B.—Particulars relating to the quantity of paper despatched, distributed, sold or otherwise disposed of through authorised distributors or agents for the use of non-Government consumers.*

Name and full address of the authorised distributor or agent.	Territory assigned to the authorised distributor or agent.	Quantity of paper distributed, sold or otherwise disposed of for the use of non-Government consumers.			Total.
		Variety of paper.....	Variety of paper.....	(*)	
		Tons.	Tons.	Tons.	Tons.
Total ..					

*C.—Particulars of paper distributed, sold or otherwise disposed of for the use of non-Government consumers through persons other than authorised distributors or agents.*

Name and address of the person to whom or through whom paper distributed, sold or disposed of otherwise.	Quantity of paper distributed, sold or otherwise disposed of.			Total.
	Variety of paper.....	Variety of paper.....	(*)	
	Tons.	Tons.		Tons.
Total ..				

Note.—In tables B and C the name of the variety of paper should be entered in the space left blank for this purpose. The names of authorised agents and distributors or of persons to whom or through whom paper is distributed, sold or otherwise disposed of should be arranged in each table in such a manner as to place all firms belonging to the same Province in consecutive order.

(\*) Each variety of paper should be entered in a separate column in this space.

Dated.....194....

Signature of the manufacturer.

**FORM III.****PAPER CONTROL (DISTRIBUTION) ORDER, 1944.**

(Clause 8.)

To be submitted by importers of paper.

*Return for 1939 and 1943.*

Name of importer.....

Full address.....

I/We declare that the following is a true account of paper sold, consumed or otherwise disposed of by me/us during each of the years 1939 and 1943.

1. Quantity imported in 1939	. tons	in 1943	. tons.
2. Quantity consumed by the importer as per details below : in 1939	. tons	in 1943	. tons.
3. Quantity distributed, sold or disposed of otherwise than by consumption by the importer as per details below : in 1939	. tons	in 1943	. tons.

Total of items 2 and 3

*A.—Details of consumption of papers by the importer—item 2 above.*

Variety of paper.	Consumed in 1939.		Consumed in 1943.	
	Quantity in tons.	Purpose for which consumed.	Quantity in tons.	Purpose for which consumed.
Total ..				

*B.—Details of distribution, sale or disposal otherwise than by consumption by the importer.*

Name and address of the person to whom paper distributed, sold or disposed of otherwise than by consumption.	Variety of paper.....	Variety of paper.....	(*)	Total.
	Tons.	Tons.		
I. Particulars relating to 1939 ..				
Total ..				
II. Particulars relating to 1943 ..				
Total ..				

<sup>1</sup>Note.—In table B the name of the variety of paper should be entered in the space left blank for this purpose. Under the first column, the names and addresses of persons to whom paper in lots of less than one ream was distributed, sold or disposed of need not be shown separately. All such transactions may be lumped together and the total quantity of paper so distributed, sold or disposed of may be shown against a separate entry entitled "Total quantity distributed, sold or disposed of in lots of less than one ream."

(\*) Each variety of paper should be entered in a separate column in this space,

Dated.....194....

Signature of the manufacturer.

<sup>1</sup>Substituted by notification No. 302P-(27)/44, dated the 29th July, 1944.

**FORM IV.****PAPER CONTROL (DISTRIBUTION) ORDER, 1944.**

(Clause 9.)

To be submitted by importers of paper.

*Return for the month of.....194....*

Name of importer.....

Full address.....

I/We declare that this is a true account of paper held in stock, consumed, distributed, sold or otherwise disposed of by me/us during the month of.....194 .

*A.—Particulars relating to stock.*

Variety of paper.	Quantity in stock at the end of last preceding month.	Acquisition during the month.				Total of cols. 2 and 3.
		By import.		Otherwise than by import.		
		Quantity.	Landed cost per lb.	Quantity.	Cost price per lb.	
1	2	3				4
	Tons.	Tons.	Rs. a. p.	Tons.	Rs. a. p.	Tons.
Total ..						

Quantity consumed during the month by the importer.	Quantity distributed, sold and disposed of otherwise than by consumption during the month.	Price per lb. at which sales were effected.	Total of cols. 5 and 6.	Quantity in stock at the end of the month of [quantity under column (4) less quantity under column (8).]	
				Quantity.	Address at which held.
5	6	7	8	9	
Tons.	Tons.	Rs. a. p.	Tons.	Tons.	

*B.—Details of consumption.*

Variety of paper.	Quantity in tons.	Purpose for which consumed.
Total ..		

*C.—Details of paper distributed, sold and disposed of otherwise than by consumption by the importer.*

Name and address of the persons to whom paper distributed, sold or disposed of otherwise than by consumption.	Variety of paper.....		Variety of paper.....		(*)		Total quantity.
	Quantity.	Price per lb. at which sold.	Quantity.	Price per lb. at which sold.			
	Tons.	Rs. a. p.	Tons.	Rs. a. p.			Tons.
Total ..							

(\*) Each variety of paper should be entered in a separate column in this space, showing particulars regarding quantity and price.

NOTE.—In table B, the name of the variety of paper should be entered in the space left blank for the purpose.

Dated.....194 ..

*Signature of the importer.*

**FORM V.****PAPER CONTROL (DISTRIBUTION) ORDER, 1944.**

(Clause 11.)

*To be submitted by person other than importers or manufacturers of paper.*

1. Name of person holding stock of paper on 12th June 1944 exceeding one ton.....
2. Full address.....
3. Whether the person submitting the return is engaged in the business of selling paper.....

I/We declare that the following is a true statement of the stock of paper held by me/us on the 12th June, 1944.

Variety of paper.	Quantity in stock on 12th June, 1944.	Purpose for which stock held.
	Tons.	
Total ..		

*Signature of the person submitting the return.*

Dated.....194



*Notification No. 302-PA(41)/44, dated the 30th September, 1944 (published in the "Gazette of India" of the 30th September, 1944, Pt. I, p. 1274).*

In exercise of the powers conferred by clause 12 of the Paper Control (Distribution) Order, 1944, the Central Government is pleased to direct that the powers conferred on it by the provisions of the said Order may also be exercised by the Paper Controller, India, or the Joint Paper Controller in the office of the Paper Controller, India.

*Notification No. 370-PA(272)/45, dated the 20th December, 1945 (published in the "Gazette of India, Extraordinary" of the 20th December, 1945, p. 1103).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the Order shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarizing and explaining its provisions :—

### I.—INTRODUCTORY.

1. (1) This Order may be called the Paper Control (Economy) Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force on the 1st January, 1946, on which date the Paper Control (Economy) Order, 1944, shall cease to have effect:

Provided that anything done under any provision of that Order before that date shall be deemed to have been done under the corresponding provision of this Order;

Provided further that any reference in any order issued under the Defence of India Rules or in any notification issued thereunder to any provision of the Paper Control (Economy) Order, 1944, shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Order.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "advertising circular" means anything composed of or containing paper and distributed or intended to be distributed in substantially identical form to more than two persons for purposes of advertising;

(b) "calendar" means a tabular or other representation of dates;

(c) "card" includes a sheet of paper;

(d) "Form" means a Form set out in Schedule II;

(e) "ounce" means ounce avoirdupois; and "lb" means pound avoirdupois;

(f) "paper" includes all descriptions (whether homogenous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fibreboard, cellulose wadding, cellulose film and other similar materials, whether imported or manufactured in India, which are manufactured wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp, but does not include any of these materials if they have been printed on by any process completely on either side, or hand-written, typewritten, stencilled or written on by any other process completely on either side;

- (g) "Paper Controller" means the officer appointed by a Provincial Government to perform the functions of a Paper Controller under this Order;
- (h) "print or make" includes printing and making by means of any duplicating or silk-screen process or by any other means and making by handwriting, typewriting, or stencilling or by any other means, and "printed or made" shall be construed accordingly;
- (i) "Schedule" means a Schedule appended to this Order.

## II.—NEWSPAPERS, NEWS-BULLETINS, MAGAZINES OR PERIODICALS.

3. (1) In this Part "newspaper" includes a news bulletin, magazine and periodical.

(2) Nothing in this Part shall apply to a newspaper as defined in the Newspaper Control Order, 1944.

4. Every proprietor of a newspaper of a class mentioned in column (1) of Schedule I shall furnish to the Paper Controller of the Province in which the place of publication of the newspaper is situated one copy of each issue of the newspaper published after the 31st December, 1945, within seven days of its publication.

5. No person shall print or make or publish any newspaper of a class mentioned in column (1) of Schedule I containing during the period specified in column (3) thereof against that class a larger number of pages than those specified in column (2) thereof against that class.

6. (1) No person shall print or make or publish a newspaper any page of which, including margins and other spaces clear of print, exceeds in area a page of a normal issue of the newspaper during the period specified in column (2) of Schedule I for newspapers of that class.

(2) If any question arises as to what is a normal issue for the purpose of this clause or for the purpose of Schedule I, it shall be referred to the Central Government and the decision of the Central Government shall be final.

7. No person shall print or make or publish on the same day for circulation in the same locality more than one edition of any daily newspaper.

8. No person shall print or make or publish any newspaper in which the percentage of total space used or assigned for advertisement matter (including any loose advertisement matter which may be inserted therein) exceeds 50 or the average percentage of total space used or assigned for this purpose during the period specified in column (2) of Schedule I for newspapers of that class, whichever is less.

9. No person shall except under the authority in writing of the Central Government—

- (a) print or make or publish in any language any newspaper that was not both printed or made in British India and regularly published therein in the same language during the period immediately preceding the 7th November, 1942;
- (b) transfer to another person any rights of ownership in respect of a newspaper;
- (c) print or make or publish more than one edition of any newspaper not being a daily newspaper whether at the same place or at different places;

- (d) change the name or change from one district to another district the place of printing or making or the place of publication of any newspaper;
- (e) publish any newspaper at more frequent intervals than those at which it was being published during the period immediately preceding the 7th November, 1942;
- (f) use or consume in printing, making or publishing any newspaper a larger quantity of paper than may be prescribed by the Central Government either by general or special direction for use or consumption in printing, making or publishing such newspaper.

### III.—DIRECTORIES, GUIDEBOOKS, PAMPHLETS, POSTERS AND ADVERTISING CIRCULARS.

10. No person shall except under the authority in writing of the Central Government—

- (a) print or make or publish any directory, Who's Who, Year-book, Annual almanac (not being a religious almanac) or any similar publication;
- (b) print or make or publish any district, city, town or other local guidebook;
- (c) subject to the provisions of clause 12, print, make, publish or distribute any handbill, pamphlet, bulletin or handbook which is intended for gratuitous distribution, unless it is necessary to do so under any provision of law:

Provided that a quantity of paper not exceeding 50 lbs. may be consumed in a calendar year by an association, society or other institution for the purpose of printing and distributing annual reports, agendas, balance sheets, accounts and other publications of similar nature.

11. No person shall—

(1) unless otherwise expressly provided—

- (a) print or make or cause to be printed or made after the 1st February, 1946 any poster on paper other than poster paper;
- (b) exhibit or cause to be exhibited after the 1st February, 1946, any poster on paper other than poster paper.
- (2) (a) print or make or cause to be printed or made any poster exceeding 600 square inches in area;
- (b) exhibit or cause to be exhibited any poster exceeding 600 square inches in area;
- (c) affix or cause to be affixed any poster within 100 feet of any other poster displaying identical or substantially identical advertising matter unless each poster is affixed within or at any entrance to any premises and the matter displayed on each poster relates to services rendered in those premises;
- (d) exhibit or cause to be exhibited any poster advertising or relating to the sale of any newspaper, news-bulletin, magazine or periodical; or
- (e) exhibit or cause to be exhibited any poster giving news unless the poster is printed or made on newsprint which has previously been printed on completely on both sides; or

- (f) exhibit or cause to be exhibited at one time more than ten posters the contents of which relate to any one programme of entertainment to be given at any theatre, cinema, dance-room, sports-ground, race-course or other place of private or public entertainment; or
- (g) print or make or exhibit or cause to be printed, made or exhibited any poster advertising or relating to—
  - (i) the business of any money-lender, book-maker or commission agent for bets, or
  - (ii) any pool, competition or fixed odds betting scheme.

12. (1) No person shall—

- (a) in any calendar month gratuitously or otherwise distribute or cause to be distributed any advertising circular of any description relating to the sale of any goods or to any profession, trade or business, the aggregate weight of which exceeds 50 lbs.;
- (b) in any calendar month gratuitously or otherwise, distribute or cause to be distributed any advertising circular of any description, not covered by sub-clause (a), the aggregate weight of which exceeds 50 lbs., except under the authority in writing of the Central Government;
- (c) print or make or gratuitously or otherwise distribute or cause to be distributed any advertising circular of any description relating to—
  - (i) the business of any money-lender, book-maker or commission agent for bets, or
  - (ii) any pool or competition; or
- (d) print or make or gratuitously or otherwise distribute or cause to be distributed any coupon or entry form relating to any pool or competition.

(2) Nothing in sub-clause (1) shall apply to the distribution gratuitously or otherwise of an advertising circular of any of the following descriptions:—

- (a) trade catalogues despatched to wholesalers or retailers of the goods advertised therein;
- (b) circulars relating to seeds or plants or fertilizers;
- (c) catalogues of books despatched to schools and other institutions provided the books mentioned in each catalogue relate to only one subject;
- (d) circulars issued by publishers of books, provided not more than one circular is issued by any such publisher during any calendar month and the circular relates to books printed and published for the first time;
- (e) lists of stocks and shares, not issued by a stock broker or other dealer in stocks or shares;
- (f) circulars containing particulars of educational courses;
- (g) circulars containing insurance particulars;

Provided that the lists and circulars mentioned in items (e), (f) and (g) are distributed only to persons expressly asking for them.

## IV.—PRINTING PRESSES.

13. Every keeper of a printing press shall submit to the Paper Controller of the Province in which the printing press is situated on or before the 15th day of every quarter commencing with the quarter beginning on the 1st January, 1946, a true return in Form I of the quantity of paper other than newsprint held, acquired, consumed or otherwise disposed of by him during the preceding quarter.

*Explanation.*—If no such paper was consumed or disposed of, a “nil” return shall be submitted.

14. No keeper of a printing press shall consume or otherwise dispose of during any quarter commencing with the quarter beginning on the 1st January, 1946, a quantity of paper other than newsprint exceeding one-fourth of 100 per cent. of the quantity of such paper consumed by him in the execution of printing work during the year 1943, or 750 lbs., whichever is greater; or if the printing press was started in the year 1944, exceeding such quantity as he was permitted to consume in any one quarter under clause 16 of the Paper Control (Economy) Order, 1944:

Provided that the quantity consumed in any quarter may exceed that permitted under this clause subject to the condition that the quantity permitted to be consumed under this clause in the next quarter shall be inclusive of this excess:

Provided further that if the quantity consumed in any quarter is less than that permitted under this clause, the balance may be consumed in any subsequent quarter during the same calendar year in addition to the quantity permitted to be consumed under this clause in that quarter:

Provided also that the Paper Controller of the Province in which the printing press is situated may allow any keeper of a printing press to consume during any quarter paper other than newsprint in excess of the limit prescribed above, so however that his total annual consumption does not exceed the quantity permitted in accordance with the provisions of this clause:

Provided also that the quantity of paper which a person other than the keeper of a printing press, a publisher of books, a manufacturer of articles from paper, and a proprietor or publisher of a newspaper, who started business after the year 1943, may be allowed by a Paper Controller to get printed, may be in excess of the quantity permitted under this clause.

15. No keeper of a printing press shall refuse to execute during any quarter commencing with the quarter beginning on the 1st January, 1946, printing work for any customer involving the use of paper not exceeding one-fourth of the quantity of paper used in 1943, in the execution of printing work by that press for that customer; unless the Paper Controller of the Province in which the printing press is situated otherwise directs.

16. The Central Government may by an order in writing reduce or cancel the quantity of paper other than newsprint which the keeper of a printing press may be entitled to consume or otherwise dispose of under clause 14. The Central Government may also direct that the quantity of paper permitted to be consumed in accordance with clause 15 for any customer of a printing press shall be reduced or cancelled.

17. No person shall except under the authority in writing of the Central Government—

(a) operate any printing press which he did not operate regularly during the period immediately preceding the 12th June, 1944;

(b) change the name of, or change from one district to another district the location of, a printing press.

## V.—PUBLISHERS.

18. In this Part "books" include pamphlets.

19. Every publisher of books shall submit to the Paper Controller of the Province in which his place of business is situated on or before the 15th day of every quarter commencing with the quarter beginning on the 1st January, 1946, a true return in Form II of the quantity of paper other than newsprint consumed in the printing of—

(a) books approved or recommended for use in an educational institution by appropriate authorities constituted by law for this purpose, and

(b) other books,  
published by him during the preceding quarter.

*Explanation.*—If no paper was consumed or disposed of, a "nil" return shall be submitted.

20. No publisher of books shall print or get printed during any quarter commencing with the 1st January, 1946, books in the printing of which paper other than newsprint in excess of the quantity specified below is used :—

---

(a) Books approved or recommended for use in an educational institution by appropriate authorities constituted by law for this purpose.	One-fourth of 120 per cent. of the quantity of paper other than newsprint consumed by him in the printing of such books in the year 1939, or if he was not in this business during that year, in the year 1943.
(b) Other books                      ..                      ..                      ..	One-fourth of 100 per cent. of the quantity of paper other than newsprint consumed in the printing of such books in 1943.

---

Provided that the Paper Controller of the Province in which the place of business of a publisher of books which are approved or recommended for use in an educational institution by appropriate authorities constituted by law for this purpose, is situated may allow him to consume during any quarter commencing with the quarter beginning on the 1st January, 1946, paper other than newsprint in excess of the limit prescribed above, so however that his total annual consumption does not exceed 120 per cent. of his consumption in the printing of such books during the year 1939, or, if he was not in this business during that year, in the year 1943:

Provided further that the quantity consumed in any quarter may exceed that permitted under this clause subject to the condition that the quantity permitted to be consumed under this clause in the next quarter shall be inclusive of this excess:

Provided further that if the quantity consumed in any quarter is less than that permitted under this clause, the balance may be consumed in any subsequent quarter during the same calendar year in addition to the quantity permitted to be consumed under this clause in that quarter.

21. The Central Government may by an order in writing reduce or cancel the quantity of paper other than newsprint which a publisher of books may be entitled to consume under clause 20.

22. No publisher of books who started business after the 1st January, 1944, shall consume during any quarter commencing with the quarter beginning on the 1st January, 1946, paper other than newsprint in excess of the quantity which he was permitted to consume in any quarter under clause 22 of the Paper Control (Economy) Order, 1944.

23. No person who was not carrying on business as a publisher of books on the 12th June, 1944, shall publish any book after the commencement of this Order.

# **VI.—MANUFACTURERS OF EXERCISE-BOOKS, ACCOUNT BOOKS, ARTICLES OF STATIONERY AND OTHER ARTICLES MADE FROM PAPER.**

24. Every person who manufactures any exercise-books, account books, articles of stationery or other articles from paper shall submit to the Paper Controller of the Province in which he carries on such manufacture on or before the 15th day of every quarter commencing with the quarter beginning on the 1st January, 1946, a true return in Form III of the quantity of paper other than newsprint held, acquired, consumed or otherwise disposed of by him during the preceding quarter.

*Explanation.*—If no paper was consumed or disposed of, a “nil” return shall be submitted.

25. No person who manufactures any exercise books, account books, articles of stationery, or other articles from paper shall consume or otherwise dispose of during any quarter commencing with the quarter beginning on the 1st January, 1946, a quantity of paper other than newsprint exceeding one-fourth of 100 per cent. of the quantity of such paper consumed by him during the year 1943:

Provided that the quantity consumed in any quarter may exceed that permitted under this clause subject to the condition that the quantity permitted to be consumed under this clause in the next quarter shall be inclusive of this excess:

Provided further that if the quantity consumed in any quarter is less than that permitted under this clause, the balance may be consumed in any subsequent quarter during the same calendar year in addition to the quantity permitted to be consumed under this clause in that quarter:

Provided also that the Paper Controller of the Province in which the manufacture is carried on may allow a manufacturer of exercise-books, account books, articles of stationery or other articles made from paper to consume during any quarter paper other than newsprint in excess of the limit prescribed above, so however that his total annual consumption does not exceed the quantity permitted in accordance with the provisions of this clause.

26. The Central Government may by an order in writing reduce or cancel the quantity of paper other than newsprint which a person who manufactures exercise-books, account books, articles of stationery or other articles made from paper may be entitled to consume or otherwise dispose of under clause 25.

27. No manufacturer of exercise books, account books, articles of stationery or other articles made from paper who started business after the 1st January, 1944, shall consume during any quarter commencing with the quarter beginning on the 1st January, 1946, paper other than newsprint in excess of the quantity which he was permitted to consume under clause 29 of the Paper Control (Economy) Order, 1944.

28. No person who was not carrying on business as a manufacturer of exercise books, account books, articles of stationery or other articles made from paper on the 12th June, 1944, shall manufacture such articles after the commencement of this Order.

## VII.—WRAPPING AND PACKING IN PAPER.

29. (1) No person shall in wrapping or packing any article in connexion with or for the purposes of any sale or the rendering of any service for remuneration insert inside any wrapping or packing or carton or container any advertising matter provided that the expression "advertising matter" shall not include instructions for the use of such article.

(2) Notwithstanding the provisions of sub-clause (1), any person may insert inside any wrapping, packing, carton or container any circular which he is entitled under clause 12 gratuitously or otherwise to distribute or cause to be distributed.

30. Except in the case of foodstuffs, no person shall in connexion with, or for purposes of, any sale or distribution, or for the rendering of any service for remuneration, pack or wrap any article with, or provide for packing or wrapping of any article, paper other than old newspapers, kraft or imitation kraft and brown wrapping paper:

Provided that any person who claims that the packing of goods manufactured or sold by him in paper other than old newspapers, kraft or imitation kraft and brown wrapping paper is essential shall apply to the Paper Controller of the Province in which the packing is carried on, for exemption from this prohibition stating the reasons for which exemption is claimed; and the Paper Controller may, if he is satisfied that special circumstances exist, by special order grant exemption subject to such conditions as he may deem fit to impose.

31. No person shall, in connexion with or for purposes of, any sale or distribution—

- (a) wrap or pack with paper other than old newspapers, kraft or imitation kraft and brown wrapping paper any article of foodstuff which does not reasonably require any such packing or wrapping for its protection; or
- (b) use in the wrapping or packing of any article of foodstuff any greater quantity of paper other than old newspapers, kraft or imitation kraft and brown wrapping paper than is reasonably required for the protection of the articles (including such as is reasonably required for its safe transit if the article is to be sent by post or otherwise despatched to the customer or to the order of the customer).

32. (1) No person shall affix a label to any goods or to any package, unless—

- (a) a label is necessary for the identification or transport of the goods or package or for the use of the goods or of the contents of the package;
- (b) the area of a label or, if more than one label is used, the aggregate area of all the labels so used is not larger than is required for the purpose for which it is necessary; and
- (c) the matter inscribed on the label or labels cannot reasonably be inscribed on the goods or the package.

(2) In this clause—

- (a) the expression "package" includes a container, holder or wrapping, and
- (b) the expression "label" includes any paper used as a label other than paper necessarily used for the reconditioning of a package.



## VIII.—MISCELLANEOUS.

33. No person shall print or make or cause to be printed or made and no person carrying on business as a banker shall supply to his constituents any cheque forms whether loose or in the form of booklets exceeding  $26\frac{1}{2}$  square inches in area including any counterfoil attached to such forms;

Provided that the Paper Controller of a Province may authorise any person carrying on business as a banker therein to supply to his constituents any cheque forms whether loose or in the form of booklets exceeding the size prescribed in this clause if they were printed before the 12th June, 1944.

34. No person shall manufacture, print, sell or use, or cause to be manufactured, printed, sold or used, any letter paper whether in sheets or pads, the sheets of which when unfolded are of a size greater than 63 square inches in area:

Provided that the Paper Controller of a Province may authorise any person therein to use any letter paper whether in sheets or pads exceeding the size prescribed in this clause if the stock of such letter paper was acquired by him before the 12th June, 1944.

35. No person shall use or cause to be used in the printing or making of any document, leaflet, pamphlet, report, letter or memorandum, or for any other purpose for which the use of paper is permitted by this Order any greater quantity of paper than such quantity as is reasonably required for the purpose.

36. No person shall, except with the permission of the Central Government in writing—

- (a) print or make any book, pamphlet or other publication primarily intended for export outside India;
- (b) manufacture from paper any article for the purpose of export outside India.

37. No person shall produce or print or make from paper—

- (a) (i) any view card or picture post card intended to be exposed or offered for sale by retail;
- (ii) any greeting card or other greeting used for purposes of advertisement;
- (b) any calendar covering a period of twelve months containing a greater weight of paper than four ounces exclusive of the weight of the mount, or any calendar covering a shorter period containing a weight of paper which bears a higher proportion to four ounces exclusive of the weight of the mount than the proportion which the period covered by the calendar bears to twelve months;
- (c) any envelope for gramophone records having a substance greater than  $20'' \times 30''$ —40 lbs. 480's unless kraft or brown wrapping paper is used;
- (d) any advertising show card, advertising novelty, counter display or window display device unless such card, novelty, display or device has an area not exceeding 100 square inches or any programme relating to any entertainment or race or sports or athletic meeting and having a total area (measured on one side of each of its sheets including any cover) greater than 160 square inches;
- (e) (i) any invitation card in the form of a folder and requiring the use of an envelope;
- (ii) any invitation card not in the form of a folder, exceeding the size  $4\frac{1}{2}'' \times 3\frac{1}{2}''$ ;

- (iii) any invitation card in the form of a folder, not requiring the use of an envelope and which has an area greater than 54 square inches measured on one side of the sheet of which the invitation card is made;
- (iv) any visiting card having an area greater than 6 square inches;
- (f) any menu card or bill of fare having a total area (measured on one side of each of its sheets including any cover) greater than 20 square inches; and
- (g) (i) any pocket diary exceeding  $5'' \times 3\frac{1}{2}''$  in size providing for more than one page to a date and containing more than 12 pages in addition to pages provided for entries relating to different dates;
- (ii) any desk or table diary exceeding  $8\frac{3}{4}'' \times 5\frac{1}{2}''$  in size, providing for entries relating to less than two dates on one page, and containing any page not providing for entries relating to dates except one sheet of cover.

38. The Central Government may by notification in the official Gazette empower any authority to exercise any of the powers conferred upon it by the provisions of this Order.

39. (1) The provisions of clauses 3 to 37 shall not apply to any act necessarily performed for the purpose of fulfilling any contract made with the Crown.

(2) Notwithstanding the provisions of clauses 3 to 37, the Central Government or such authority as the Central Government may empower in this behalf may if it is satisfied that special circumstances exist, by special order authorise the doing of any act which would otherwise be in contravention of those provisions, and may attach to the authorisation such directions or conditions as it think fit.

(3) The provisions of clauses 3 to 37 shall not apply to board including strawboard.

(4) The provisions of clauses 10 to 37 shall not apply to hand-made paper.

40. Any officer empowered in this behalf by the Provincial Government may—

- (a) direct any person carrying on any transactions, connected with paper to maintain such records relating to paper as he may specify;
- (b) direct any person carrying on any transactions, connected with paper to furnish such information as he may specify;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of any person carrying on any transactions connected with paper;
- (d) enter and search or authorise any person to enter and search any premises where any transaction connected with paper has been, is being or is about to be carried on;
- (e) seize or authorise the seizure of any paper in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

41. Any Court trying a contravention of this Order may without prejudice to any sentence which it may pass, direct that any article or thing in respect of which the Court has been satisfied that the Order has been contravened shall be forfeited to His Majesty.

**Schedule I.****PAPER CONTROL (ECONOMY) ORDER, 1945.**

(Clauses 4 to 8.)

Class of newspaper, News-bulletin, magazine or periodical.	Number of pages which should not be exceeded during the period specified in column (3).	Period during which number of pages specified in column (2) should not be exceeded.
(1)	(2)	(3)
1. Daily .. 2. Tri-weekly .. 3. Bi-weekly ..	100 per cent. of the average weekly number of pages published during the four weeks imme- diately preceding the 1st April, 1944, rounded off to the next higher even number.	One week.
4. Weekly .. 5. Fortnightly ..	100 per cent. of the average number of pages published per month during the 3 months immediately preceding the 1st April, 1944, rounded off to the next higher even number.	One month.
6. Monthly .. 7. Bi-monthly ..	100 per cent. of the average number of pages published per issue during 6 months imme- diately preceding the 1st April, 1944, rounded off to the next higher even number.	{ One month. { Two months.
8. Quarterly .. 9. Half-yearly .. 10. Annual ..	100 per cent. of the average number of pages published per issue during the 12 months immediately preceding the 1st April, 1944, rounded off to the next higher even number.	{ Three months. { Six months. { Twelve months.

For the purpose of this Schedule a publication shall be classified as a daily, tri-weekly, bi-weekly, or weekly according as the normal number of issues of the publication in a week is not less than six, is less than six but not less than three, is two or is one, and as a fortnightly or monthly if the publication is issued once in two weeks or once in each month. A publication shall be considered a bi-monthly, quarterly, half-yearly or annual according as it is normally published once every two months, once every three months, once every six months and once every twelve months, respectively.

In any month in which a weekly has five issues, the total number of pages of the weekly may exceed by 25 per cent. the number of pages permissible under the above table.

**Schedule II.****FORM I.****PAPER CONTROL (ECONOMY) ORDER, 194**

(Clause 13.)

*Return for the quarter ending.....194*

Name of the printing press to which the return applies.....

Full address.....

I/We declare that the following is a true account of paper other than newsprint held, acquired, consumed and otherwise disposed of by me/us during the quarter ending.....  
 .....194 .

Particulars.	Variety of Paper.	Variety of Paper.	(*)	Total quan- tity of paper other than newsprint.
	Tons.	Tons.	Tons.	Tons.
1. Stock in hand at the end of the preceding quarter.				
2. Quantity acquired during the quarter—				
(a) from .....				
(b) from .....				
(c) from .....				
3. Total of items 1 and 2 .. ..				
4. Quantity consumed during the quarter ..				
5. Quantity otherwise disposed of during the quarter.				
6. Total of items 4 and 5 ..				
7. Quantity in stock at the end of the quarter (quantity against item 3 less quantity against item 6).				

NOTE.—The name of each variety of paper should be entered in the space left blank for this purpose.

(\*) Each variety of paper should be entered in a separate column in this space.

N.B.—Under item 2 each acquisition should be shown separately giving the name and address of the person or firm from whom paper was acquired.

*Signature of the Keeper of the  
Printing Press.*

*Dated.....194 .*

## FORM II.

## PAPER CONTROL (ECONOMY) ORDER, 1945.

(Clause 19.)

*Return for the quarter ending.....194 .*

Name of the publisher submitting the return.....

Full address.....

I/We declare that the following is a true account of paper other than newsprint consumed in the printing of (a) books approved or recommended for use in an educational institution by appropriate authorities constituted by law for this purpose, and (b) other books and pamphlets, published by me/us during the quarter ending.....194 .

*A.—Statement of the quantity of paper other than newsprint consumed in the printing of books approved or recommended for use in an educational institution by appropriate authorities constituted by law for this purpose, published during the quarter ending.....194 .*

Title of the books.	Name of the authority constituted by law which approved or recommended the book.	Number of copies printed.	Number of pages per copy.	Size of page in inches.	Quantity of paper other than newsprint consumed.
					Tons.
				Total ..	

*B.—Statement of the quantity of paper other than newsprint consumed in the printing of books and pamphlets other than those covered by statement 'A' above.*

Title of book or pamphlet.	Number of copies Printed.	Number of pages per copy.	Size of page in inches.	Quantity of paper other than newsprint consumed.
				Tons.
			Total ..	

Dated.....194 .

*Signature of the Publisher.*

## FORM III.

## PAPER CONTROL (ECONOMY) ORDER, 1945.

(Clause 24.)

*Return for the quarter ending.....194*

Name of the person submitting the return.....

Full address.....

I/We declare that the following is a true account of paper other than newsprint held, acquired, consumed and otherwise disposed of by me/us during the quarter ending.....194

Particulars.	Quantity of paper other than newsprint.
	Tons.
1. Stock in hand at the end of the preceding quarter ..	
2. Quantity acquired during the quarter—	
(a) from.....	
(b) from.....	
(c) from.....	
3. Total of items 1 and 2 .. .. .	
4. Quantity consumed during the quarter .. .. .	
5. Quantity otherwise disposed of during the quarter .. .. .	
6. Total of items 4 and 5 .. .. .	
7. Quantity in stock at the end of the quarter (quantity against item 3 less quantity against item 6).	

*N.B.*—Under item 2 each acquisition should be shown separately giving the name and address of the person or firm from whom the paper was acquired.

*Signature of the person submitting the return.*

*Dated.....194*

*Notification No. 300-PA(16)/44, dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December, 1944, Pt. I, p. 1542).*

In exercise of the powers conferred by clause 39 of the Paper Control (Economy) Order, 1944, the Central Government is pleased to direct that the powers conferred on it by sub-clause (2) of clause 40 of the said Order in respect of the clauses of the said Order specified in column 1 of the Schedule appended hereto shall also be exercised by—

(1) the Paper Controller, India, and

- (2) the authorities specified in column 2 of the said Schedule in respect of the Provinces specified in the corresponding entry in column 3 of the schedule.

**Schedule.**

Clauses.	Authority.	Province.
1	2	3
7(2) 10(b).	1. Special Officer, Paper Control, Government of Bengal, Calcutta.	Bengal.
17 37.	2. Controller, Government of Bombay, Bombay.	Bombay.
	3. Provincial Paper Controller, Government of Bihar, Patna.	Bihar.
	4. Provincial Paper Controller, Government of the Punjab, Lahore.	The Punjab.
	5. Paper Controller, Government of Madras, Madras.	Madras.
	6. Paper Controller, Government of the United Provinces, Allahabad.	United Provinces.
	7. Provincial Paper Controller, Government of Orissa, Cuttack.	Orissa.
	8. The Director of Civil Supplies, Delhi ..	Delhi.
	9. The Director of Civil Supplies, Ajmer-Merwara, Ajmer.	Ajmer-Merwara.
	10. Provincial Paper Controller, Quetta	Baluchistan.
	11. Director of Civil Supplies, Government of Sind, Karachi.	Sind.
	12. Commissioner of Excise, Assam.	Assam.
	13. Provincial Paper Controller, Government of North-West Frontier Province, Peshawar.	North-West Frontier Province.
	14. Provincial Paper Controller, Government of the Central Provinces and Berar, Nagpur.	Central Provinces and Berar.
	15. Chief Commissioner, Coorg, Mercara ..	Coorg.

*Notification No. 300-PA(17)/44, dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December, 1944, Pt. I, p. 1542).*

In exercise of the powers conferred by clause 39 of the Paper Control (Economy) Order, 1944, the Central Government is pleased to direct that the powers conferred on it by clause 40A, of the said Order shall also be exercised by any Provincial Government and by the Chief Commissioners, Delhi, Ajmer-Merwara, Coorg and Baluchistan.

*Notification No. 300-PA(10)/45, dated the 4th June, 1945 (published in the "Gazette of India, Extraordinary" of the 4th June, 1945, p. 476).*

In exercise of the powers conferred by clause 39 of the Paper Control (Economy) Order, 1944, the Central Government is pleased to direct that the powers conferred on it by sub-clause (2) of clause 40 of the said Order shall be exercised,—

- (1) in respect of sub-clause (d) of clause 10, sub-clause (c) of clause 11, clauses 12, 13, 32, 33 and 34 by the Paper Controller, India, and

(2) in respect of clauses of the said Order specified in column (1) of the Schedule appended hereto by the authorities specified in column (2) of the Schedule in respect of the Provinces specified in the corresponding entry in column (3) of the Schedule.

**Schedule.**

Clauses.	Authority.	Province.
1	2	3
10(d)	1. Provincial Paper Controller, Government of Madras, Madras.	Madras.
11(c)	In so far as the type of consumers and the types of publications mentioned in the proviso to this sub-clause are concerned.	2. Paper Controller, Government of Bombay, Bombay.
16	In so far as the third and fourth provisos are concerned.	3. Special Officer, Paper Control, Government of Bengal, Calcutta.
16A	4. Provincial Paper Controller, Government of the United Provinces, Allahabad.	United Provinces.
21	In so far as the first proviso is concerned.	5. Provincial Paper Controller, Government of the Punjab, Lahore.
22	In so far as the third proviso is concerned.	6. Provincial Paper Controller, Bihar, Government of Bihar, Patna.
33(1)	In so far as the use of board for packing and wrapping purposes is concerned.	7. Provincial Paper Controller, Government of the Central Provinces and Berar, Nagpur.
36	In so far as the second proviso is concerned.	8. Commissioner of Excise, Assam.
	9. Provincial Paper Controller, North-West Frontier Province, Peshawar.	N.-W. F. P.
	10. Provincial Paper Controller, Government of Orissa, Cuttack.	Orissa.
	11. Director of Civil Supplies (Paper), Government of Sind, Karachi.	Sind.
	12. Director of Civil Supplies, Delhi.	Delhi.
	13. Provincial Paper Controller, Quetta.	Baluchistan.
	14. Director of Civil Supplies, Ajmer-Merwara, Ajmer.	Ajmer-Merwara.
	15. Chief Commissioner, Coorg, Mercara.	Coorg.

*Notification No. 370-PA(272)/45, dated the 20th December, 1945 (published in the "Gazette of India, Extraordinary" of the 20th December, 1945, p. 1115).*

In exercise of the powers conferred by clause 38 of the Paper Control (Economy) Order, 1945, the Central Government is pleased to direct that the powers conferred on it by sub-clause (2) of clause 39 of the said Order shall also be exercised,—

(1) in respect of clauses 14, 16, 20, 21, 22, 23, 25, 26, 27 and 28 by any Provincial Government; and



(2) in respect of the clauses of the said Order specified in column (1) of the Schedule appended hereto by the authorities specified in column (2) of the Schedule in respect of the Provinces specified in the corresponding entry in column (3) of the Schedule.

**Schedule.**

Clauses.	Authority.	Province.
1	2	3
Sub-clause (2) of clause 6, sub-clauses (b) and (d) of clause 9, sub-clauses (b) and (c) of clause 10, and clauses 12, 17, 35 and 37.	1. Provincial Paper Controller, Government of Madras, Madras.	Madras.
	2. Paper Controller, Government of Bombay, Bombay.	Bombay.
	3. Special Officer, Paper Control, Government of Bengal, Calcutta.	Bengal.
	4. Provincial Paper Controller, Government of the United Provinces, Allahabad.	United Provinces.
	5. Provincial Paper Controller, Government of the Punjab, Lahore.	Punjab.
	6. Provincial Paper Controller, Bihar, Government of Bihar, Patna.	Bihar.
	7. Provincial Paper Controller, Government of the Central Provinces and Berar, Nagpur.	Central Provinces and Berar.
	8. Commissioner of Excise, Assam.	Assam.
	9. Provincial Paper Controller, North-West Frontier Province, Peshwar.	N.-W. F. P.
	10. Provincial Paper Controller, Government of Orissa, Cuttack.	Orissa.
	11. Director of Civil Supplies (Paper), Government of Sind, Karachi.	Sind.
	12. Director of Civil Supplies, Delhi. ..	Delhi.
	13. Provincial Paper Controller, Quetta ..	Baluchistan.
	14. Director of Civil Supplies, Ajmer-Merwara, Ajmer.	Ajmer-Merwara.
	15. Chief Commissioner, Coorg, Mercara.	Coorg.

*Notification No. 301-I.C.(5)/42, dated the 7th November, 1942 (published in the "Calcutta Gazette" of the 10th December, 1942, Pt. I A, p. 981).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Paper Control Order, 1942.
- (2) It shall come into force on the 7th November, 1942.
2. In this Order, unless there is anything repugnant in the subject or context—

(a) "advertising circular" means anything composed of or containing paper and distributed in substantially identical form to more than 12 persons for purposes of advertising but shall be deemed not to include any diary containing advertising matter on not more than 8 pages thereof;

- (b) "ounce" means ounce avoirdupois and "lb." means pound avoirdupois;
- (c) "paper" includes all descriptions (whether homogeneous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fire board, cellulose wadding, cellulose film and other similar materials, which are manufactured wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp;
- (d) "print or make" includes making by handwriting or by means of the silk-screen process or by any other means and "printed or made" shall be construed accordingly.

3. No person shall—

- (a) print or make or publish, except under the authority in writing of the Central Government, any newspaper, news bulletin, magazine or periodical that was not both printed or made in British India and <sup>1</sup>[regularly published therein during the period immediately preceding the coming into force of this Order.];
- <sup>2</sup>(aa) change the place of printing or making, or the place of publication, of any newspaper, news bulletin, magazine or periodical <sup>3</sup>[from one district to another district] without previous permission in writing of the Central Government;
- <sup>4</sup>(b) publish any newspaper, news bulletin, magazine or periodical at more frequent intervals than those at which it was being published <sup>5</sup>[during the period immediately preceding] the coming into force of this Order;
- (c) use or consume in printing, making or publishing any newspaper, news bulletin, magazine or periodical, a larger quantity of paper than may be prescribed by the Central Government either by general or special direction for use or consumption in printing, making or publishing such newspaper, news bulletin, magazine or periodical:

Provided that nothing in this clause shall apply to a newspaper as defined in the Newspaper Control Order, 1942.

*Explanation.*—For the purposes of sub-clause (c) the size of any issue of a newspaper, news bulletin, magazine or periodical shall be the product of the total number of pages in the issue and the area, including margins and other spaces clear of print, of each page.

4. No person shall—

- (a) print or make or publish any directory <sup>6</sup>[Who's Who, year-book, annual, almanac, or, <sup>7</sup>(any similar publication)] except under the authority in writing of the Central Government;
- (b) print or make or publish any district, city, town or other local guide book.

<sup>1</sup>Substituted by notification No. 301-I.C. (A)(14)/43, dated the 10th July, 1943.

<sup>2</sup>Inserted by notification No. 301-C.S.(A)(15)/44, dated the 4th March, 1944.

<sup>3</sup>Inserted by notification No. 301-C.S.(A)(15)/44, dated the 8th April, 1944.

<sup>4</sup>Substituted by notification No. 301-C.S.(A)(174)/43, dated the 5th February, 1944.

<sup>5</sup>Substituted by notification No. 301-C.S.(A)(88)/44, dated the 25th March, 1944.

<sup>6</sup>Inserted by notification No. 301-C.S.(A)(46)/43, dated the 23rd October, 1943, and subsequently modified.

<sup>7</sup>Substituted by notification No. 301-C.S.(A)(46)/43, dated the 1st January, 1944.

## 5. No person shall—

- (a) print or make any poster exceeding 1,200 square inches in area;
- (b) exhibit any poster exceeding 1,200 square inches in area unless that poster was printed or made before the coming into force of this Order;
- (c) affix any poster within 100 feet of any other poster displaying identical or substantially identically advertising matter unless each poster is affixed within or at any entrance to any premises and the matter displayed on each poster relates to services rendered in those premises;
- (d) exhibit any poster printed after the coming into force of this Order and advertising or relating to the sale of any newspaper, bulletin, magazine or periodical; or
- (e) exhibit at one time more than ten posters the contents of which relate to any one programme of entertainment to be given at any theatre, cinema, dance-room, sports-ground, race-course or other place of private or public entertainment; or
- (f) print or make any poster or exhibit any poster advertising or relating to—
  - (i) the business of any money-lender, book-maker or commission agent for bets, or
  - (ii) any pool, competition or fixed odds betting scheme.

## 6. (1) No person shall—

- (a) gratuitously <sup>1</sup>[or otherwise] distribute or cause, to be <sup>1</sup>[so] distributed any advertising circular of any description relating to the sale of any goods or to any profession, trade or business, unless that circular was printed or made before the coming into force of this Order provided that nothing in this sub-paragraph shall apply to any advertising circular relating solely to the sale or loan of books;
- (b) in any calendar month after the coming into force of this Order, gratuitously distribute or cause to be so distributed <sup>1</sup>[any] advertising circular of any description, the aggregate weight of which exceeds 50 lbs. except under the authority in writing of the Central Government;
- (c) print or make and gratuitously distribute or cause to be so distributed any advertising circular of any description relating to—
  - (i) the business of any money-lender, book maker or commission agent for bets, or
  - (ii) any pool or competition, or
- (d) gratuitously distribute or cause to be so distributed any coupon or entry form relating to any pool or competition.

(2) Nothing in this clause shall prevent the <sup>1</sup>[distribution gratuitously or otherwise] of—

- (a) circulars relating to sales by auction;
- (b) circulars relating to the letting or sale of premises;
- (c) trade catalogues dispatched to whole-salers or retailers of the goods advertised herein;
- (d) insurance particulars;

<sup>1</sup>Inserted and substituted by notification No. 301-I.C.(A)/(62)/43, dated the 21st August, 1943.

<sup>2</sup>(e) lists of stocks and shares unless issued by a stockbroker or other dealer in stocks or shares;

(f) circulars relating to seeds, plants or fertilizers.

7. (I) No person shall in wrapping or packing any article in connection with or for the purposes of any sale or the rendering of any service for remuneration insert inside any wrapping or packing or cartoon or container any advertising matter provided that the expression "advertising matter" shall not include instructions for the use of any article.

(2) Notwithstanding the provisions of sub-clause (I) any retailer may insert inside any wrapping or packing or cartoon or container any circular which under clause 6 he is entitled gratuitously <sup>1</sup>[or otherwise] to distribute or cause to be so distributed.

17A. (1) No person who in any premises in British India carries on the business of selling goods by retail, shall provide any paper other than old newspaper for the packing or wrapping of those goods except in the case of foodstuffs or of an article which he has agreed to deliver at some place other than in or about those premises.

(2) No person shall, in connection with, or for purposes of, any sale by retail or any delivery otherwise than in the case of wholesale distribution—

(a) wrap or pack with paper any article which does not reasonably require any such packing or wrapping for its protection; or

(b) use in the wrapping or packing of any article any greater quantity of paper wrapping or packing than is reasonably required for the protection of the article (including such as is reasonably required for its safe transit if the article is to be sent by post, or otherwise despatched to, or to the order of the customer).

8. No person shall produce or print from paper or wood pulp—

(a) any view card or picture postcard or greeting card or other greeting intended to be exposed or offered for sale by retail;

(b) any calendar containing a greater weight of paper than 4 ounces;

(c) any envelope for gramophone records having a substance greater than 20" x 30", 40 lbs. 480 or 500;

(d) any advertising show card, advertising novelty, counter display or window display device, unless such card, novelty, display or device has an area not exceeding 100 square inches or any programme relating to any entertainment or race or sports or athletic meeting and having a total area (measured on one side of each of its sheets including any cover) greater than 80 square inches; or

<sup>2</sup>(e) (i) any invitation card in the form of a folder and requiring the use of an envelope;

(ii) any invitation card not in the form of a folder, having an area greater than 12 square inches;

(iii) any invitation card in the form of a folder, not requiring the use of an envelope and which has an area greater than 54 square inches measured on one side of the sheet of which the invitation card is made;

(iv) any visiting card having an area greater than 6 square inches:

<sup>1</sup>Inserted by notification No. 301-I.D.C.(5)/42, dated the 10th April, 1943.

<sup>2</sup>Substituted by notification No. 301-C.S.(A)(49)/44, dated the 25th March, 1944.

Provided that this restriction shall not apply until the 1st January, 1945, to the printing of invitation cards and visiting cards manufactured before the 22nd January, 1944: Provided further that any person holding stocks of invitation cards or visiting cards manufactured before the 22nd January, 1944, and exceeding the sizes prescribed in this sub-clause shall submit to the Secretary to the Government of India in the Department of Industries and Civil Supplies not later than the 7th day of every month a true return in Form I appended to this Order of the number of such cards held, acquired and disposed of by him during the preceding calendar month.

## FORM I.

**Paper Control Order, 1942.***Clause 8(c).*

Return for the month of.....  
 Name of the person or firm submitting the return.....  
 Full address.....

I/We declare that the following is a true account of invitation cards and visiting cards manufactured before the 22nd January, 1944, and whose manufacture and printing is prohibited under clause 8(c) of the Paper Control Order, held, acquired and disposed by me/us during the month of.....1944.

Particulars.	Invitation cards in the form of a folder and requiring the use of envelopes (in gross).	Invitation cards not in the form of a folder (in gross).	Invitation cards in the form of a folder and not requiring the use of envelopes (in gross).	Visiting cards (in gross).
1. Number of cards in hand at the end of the last preceding month. a. size .. b. size .. c. size ..				
2. Number of cards, if any, acquired during the month. a. size .. b. size .. c. size ..				
3. Number of cards disposed of during the month. a. size .. b. size .. c. size ..				
4. Number of cards in hand at the end of the month. a. size .. b. size .. c. size ..				

Note.—Each size should be specified separately and the length and breadth should be given in inches. The size of invitation cards not in the form of a folder should be the size measured on one side of the sheet of which they are made.

Dated.

.194 .

*Signature of the person or firm  
submitting the return.*

'9. (1) The provisions of clauses 3 to 8 shall not apply to any act necessarily performed for the purpose of fulfilling any contract made with the Crown.

(2) Notwithstanding the provisions of clauses 3 to 8, the Central Government [or such authority as the Central Government may empower in this behalf] may, if it is satisfied that special circumstances exist, by special order authorise the doing of any act which would otherwise be prohibited by those provisions, and may attach to the authorisation such directions as it thinks fit in regard to the manner in which such act may be done.

*Notification No. 308-P(34)/44, dated the 28th August, 1944 (published in the "Gazette of India, Extraordinary" of the 29th August, 1944, p. 1280).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Paper Control (Prices of Board) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order "board" means strawboard or millboard, and "manufacturer" means a person carrying on the business of manufacturing board for sale.

3. No manufacturer shall sell or offer to sell board except at f.o.r. destination prices and these prices inclusive of any commission allowed to selling agents, shall not be higher than the prices specified below:—

	Price per cwt.	
	Strawboard.	Millboard.
	Rs. a.	Rs. a.
(i) In substances 8 ozs. to 18 ozs. per sheet of 25½" × 20½" and corresponding substances.	21 8	28 8
(ii) In lighter or heavier substances than substances specified under (i) above	22 8	29 8

Provided that for strawboard cut to sizes other than 25" × 30½" an additional charge of not more than 8 annas per cwt. may be made by the manufacture.

4. No person other than a manufacturer shall sell or offer to sell board in any of the substances specified in clause 3,—

(a) in wholesale quantities, at a price exceeding by 7½ per cent. the price specified in clause 3 above for that substance;

(b) in retail quantities, at a price exceeding by 15 per cent. the price specified in clause 3 above for that substance.

*Explanation.*—For the purpose of this clause, transactions in bales of 5 cwt. shall be deemed to be transactions in wholesale quantities, and transaction in lote smaller than a bale of 5 cwts. shall be deemed to be transactions in retail quantities.

5. Every manufacturer shall before despatching any board from his factory indicate conspicuously on the outer packing of each bale and of each bundle the name of manufacturer, size of sheet in inches, weight per sheet, the f.o.r. destination price per cwt. charged by the manufacturer, the maximum price for sales in wholesale quantities and for sales in retail quantities calculated in accordance with the provisions of clause 4.

6. Every person other than a manufacturer who sells or offers to sell board shall prominently display in his place of business a list of prices calculated in accordance with the provisions of clause 4 and shall whenever required by any purchaser or prospective purchaser allow him to examine it.

7. No person shall purchase or offer to purchase board from a manufacturer or from a person other than a manufacturer at a price higher than that at which it is permissible for the manufacturer or the other person to sell to him under the provisions of clauses 3 and 4, respectively.

8. If any question arises as to the maximum price which could be charged for any particular transaction or as to whether the board covered by the transaction is strawboard or millboard the question shall be referred to the '[Central Government]', whose decision thereon shall be final

<sup>2</sup>[8A. The Central Government may by notification in the official Gazette empower any authority to exercise any of the powers conferred upon it by the provisions of this Order.]

9. Notwithstanding the provisions of clauses 3 to 7, the Central Government or such authority as the Central Government may authorise in this behalf may, if it is satisfied that special circumstances exist, by special order authorise the doing of any act which would otherwise be in contravention of those provisions and may attach to the authorisation such directions or conditions as it thinks fit.

10. Any officer empowered in this behalf by the Central Government may—

- (a) direct any manufacturer or any other person carrying on any transactions connected with board to maintain such records and accounts as he may specify;
- (b) direct any manufacturer or any other person carrying on any transaction connected with board to furnish such information as he may specify;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of any manufacturer or of any other person carrying on any transactions connected with board;
- (d) enter and search or authorise any person to enter and search any premises in which board is manufactured or any transaction connected with board is carried on;
- (e) seize or authorise the seizure of any board in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

11. Any Court trying a contravention of this Order may, without prejudice to any sentence which it may pass, direct that any board in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

*Notification No. 308-PA(97)44, dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December 1944, Pt. I, p. 1452).*

In pursuance of clause 10 of the Paper Control (Prices of Board) Order 1944, the Central Government is pleased to authorise any officer empowered

<sup>1</sup>Substituted by notification No. 308-P.A.(9)/46, dated the 26th February, 1946.

<sup>2</sup>Inserted by notification No. 308 P. A. (108)/45, dated the 14th July, 1945.

in this behalf by any Provincial Government and by the Chief Commissioners, Delhi, Ajmer-Merwara, Coorg and Baluchistan to exercise the powers mentioned in the said clause.

*Notification No. 55/285, dated the 2nd August, 1944 (published in the "Gazette of India, Extraordinary" of the 3rd August, 1944, p. 1217).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Paper Control (Production) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "Director" means the Director of Paper, Director-General of Supply, and includes any other officer authorised in this behalf by the Central Government;

(b) "manufacturer" means any person who manufactures paper in a factory within the meaning of the Factories Act, 1934 (XXV of 1934);

(c) "paper" includes all varieties (whether homogeneous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fireboard, strawboard, process board and other similar materials which are manufactured wholly or mainly either from vegetable fibres or pulp thereof or both from such fibres and such pulp.

3. Every manufacturer shall apply for registration to the Director in the Form appended to this Order within one month of the date of commencement of this Order or, if he was not a manufacturer on that date, within one month of the date on which he begins to manufacture paper.

4. (1) No manufacturer shall manufacture paper of a variety or description not specified in the Schedule hereto annexed without the permission in writing of the Director.

(2) If any question arises whether any paper manufactured by a manufacturer is of a variety or description specified in the Schedule and if so, of what variety or description, the question shall be referred to the Director whose decision thereon shall be final.

5. The Director may issue to any manufacturer such directions relating to the manufacture of paper as may be deemed necessary and the manufacturer shall comply with such directions.

6. Any manufacturer, on being required to do so by the Director, shall submit such returns or other information regarding stocks, manufacture and disposal of paper in such form as he may direct.

7. The Director may, with a view to securing compliance with this Order,—

(a) require any person to give any information in his possession with respect to any business carried on by that or any other person;

(b) inspect, or cause to be inspected, any books or other documents belonging to or under the control of any manufacturer;

(c) enter and search, or authorize any officer to enter and search, any premises.



8. No person shall, with intent to evade the provisions of this Order, refuse to give any information lawfully demanded from him under clause 6 or clause 7, or conceal, destroy or mutilate any books or other documents in his possession or under his control.

9. Any Court trying any contravention of this Order may, without prejudice to any sentence which it may pass, direct that any paper in respect of which it is satisfied that the Order has been contravened shall be forfeited to His Majesty.

### FORM.

(See clause 3.)

### Application for registration as a manufacturer of paper under the Paper Control (Production) Order, 1944.

(To be submitted to the Director of Paper, Directorate-General of Supply, Shahjahan Road, New Delhi.)

1. Name of firm.
2. Full Address of Registered Head Office.
3. Telegraphic Address.
4. Full address of mill or mills.
5. Is the firm registered under—
  - (a) Indian Companies Act.
  - (b) Indian Partnership Act.
6. Total quantity of paper produced in tons during—
  - 1st April 1941 to 31st March 1942.
  - 1st April 1942 to 31st March 1943.
  - 1st April 1943 to 31st March 1944.

*Note.*—A copy of the latest available balance sheet and annual report should be enclosed with this application.

**I/WE CERTIFY THAT THE CONTENTS OF THIS APPLICATION ARE TRUE TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF.**

*Date*,.....

*Signature of the Applicant(s).*

### The Schedules.

(See clause 4.)

#### I. *Writing and Printing (Except Newsprint) Paper.*

(a) Bleached, white or cream wove or laid, watermarked or unwatermarked, machine finished (M.F.) or machine glazed (M.G.) semi-bleached or buff in substances of Demy 14 lbs. 500's and upwards.

(b) As in (a) above, but in substances below Demy 14 lbs. 500's with a minimum of Demy, 12 lbs. 500's.

(c) Unbleached, wove or laid, watermarked or unwatermarked, machine finished (M.F.) or machine glazed (M.G.) in substances of Demy 14 lbs. 500's.

• (d) As in (c) above, but in substances of Demy 14 lbs. 500's with a minimum of Demy 12 lbs. 500's.

(e) Ordinary badami, wove or laid, watermarked or unwatermarked, machine finished (M.F.) or machine glazed (M.G.) in substances of Demy 14 lbs. 500's and upwards.

(f) As in (e) above, but in substances below Demy 14 lbs. 500's with a minimum of Demy 12 lbs. 500's.

The varieties for (a) to (d) above are—

Printing, Poster, Litho, Map Litho, Imitation Art, Antique, Ferro Prussiate Base, Account Book, Ahmedabadi, Duplicator, Drawing Cartridge, Offset Cartridge, Cream Laid, White Laid, Cream Wove, Legal Blue, Superior Badami, Math Box.

The qualities for (a) to (d) above are—

(1) Supercalendered and water finished or, for rag qualities only, Parchment finished.

(2) Coloured.

(3) 10 to 25 per cent. Rag furnish.

(4) 26 to 50 per cent. Rag furnish.

(5) 51 to 75 per cent. Rag furnish.

(6) 76 to 100 per cent. Rag furnished.

(7) Embossed or decorated.

## II. *Wrapping Papers.*

(a) Brown wrapping and brown cartridge minimum substance Demy 18 lbs. 500's.

(b) Machine finished (M.F.) or machine glazed (M.G.) ribbed or plain kraft or Imitation kraft paper in substances of 22 × 29 30 lbs. 480's and upwards.

(c) As in (b) above but in substances below 22 × 29 30 lbs. 480's with a minimum of 22 × 29 26 lbs. 480's.

## III. *Cover Papers.*

(a) Bleached.

(b) Unbleached.

(c) Manilla for Casing.

(d) Manilla for Envelopes.

The qualities for (a) to (d) above are—

(1) Supercalendered or waterfinished.

(2) Embossed or decorated.

(3) Coloured.

## IV. *Special Thin Qualities in Substances below Demy 10 lbs. 500's.*

(a) Toilet paper cut to small sizes.

(b) Air mail.

(c) Manifold.

## V. *Blotting.*

(a) Bleached.

(b) Unbleached.

(c) Coloured.

# VI. Boards (Solid, Paste or Combination).

- (a) Bleached, semi-bleached or unbleached cardboards.
- (b) Bleached or unbleached pulpboards and millboards.
- (c) Bleached or unbleached Manilla boards.
- (d) Bleached or unbleached pasteboards.
- (e) Duplex and Triplex Boards.
- (f) Ticket boards.
- (g) Grey boards.
- (h) Straw boards.
- (i) Corrugated boards.

The qualities for (a) to (h) above are—

- (1) Coloured.
- (2) Supercalendered or waterfinished.
- (3) Waterproofed.
- (4) Corrugated and Silicated.

*Notification No. 308(40)/44, dated the 8th September, 1944 (published in the "Gazette of India, Extraordinary" of the 8th September, 1944, p. 1296.)*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order :—

1. (1) This Order may be called the Paper (Prices of Imported Paper) Control Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order,—

- (i) "paper" means imported paper and includes imported board;
- (ii) "Scheduled" means a Schedule appended to this Order;
- (iii) "Scheduled variety" of paper means any variety of paper included in the Schedule;
- (iv) "Controlled price" means in relation to any scheduled variety of paper, the price of that variety of paper specified in column 2 of the Schedule.

3. (1) No person shall sell or offer to sell any variety of paper not being a Scheduled variety—

- (a) on or before the 15th October, 1944, at a price which exceeds the landed cost by more than 40 per cent.;
- (b) after the 15th October, 1944, without the special permission in writing of the Central Government and without having the price at which the paper in question can be sold fixed by the Central Government.

(2) For the purpose of securing the permission of the Central Government and for having the price fixed under sub-clause (1)(b) application shall be made by the person concerned not later than the 1st October, 1944, stating the variety of paper, the stock which is expected to remain in hand after the 15th October, 1944, and in case the paper in question was imported by the person making the application, a statement of landed cost supported by relevant invoices.

4. (1) No person shall sell or offer to sell any scheduled variety of paper—

(a) in wholesale quantities at a price inclusive of any commission allowed to selling agents higher than the controlled price;

(b) in retail quantities at a price which exceeds by 15 per cent. the controlled price:

Provided that in respect of sales whether in wholesale or in retail quantities at places other than port towns an additional charge not exceeding 6 pies per lb. may be made by the seller.

(2) For the purpose of this clause,—

(i) "port towns" shall be the ports of Calcutta, Bombay, Madras and Karachi, and shall be deemed to cover an area within a radius of 50 miles from any of these ports;

(ii) a transaction in ream lots, or in the case of boards in lots of one gross or one hundred sheets, as the case may be, shall be deemed to be a wholesale transaction; and a transaction in smaller lots shall be deemed to be a retail transaction.

5. Every person who sells or offers to sell paper shall prominently display in his place of business a list of wholesale and retail prices of all varieties of paper in which he deals, calculated in accordance with the provisions of clauses 3 and 4 and shall whenever required by a purchaser or prospective purchaser allow him to examine it.

6. No person shall purchase or offer to purchase from any person any scheduled variety of paper at a price higher than that at which it is permissible for the other person to sell to him under the provisions of clause 4.

7. If any question arises as to the maximum price which could be charged for any particular transaction, or as to the variety according to the Schedule of any particular paper the question shall be referred to the [Central Government] whose decision thereon shall be final.

<sup>2</sup>[7A. The Central Government may by notification in the official Gazette empower any authority to exercise any of the powers conferred upon it by the provisions of this Order.]

8. Notwithstanding the provisions of clauses 3 to 6, the Central Government or such authority as the Central Government may authorise in this behalf may, if it is satisfied that special circumstances exist, by special order authorise the doing of any act which would otherwise be in contravention of those provisions and may attach to the authorisation such directions or conditions as it thinks fit.

9. Any officer authorised in this behalf by the Central Government may—

(a) direct any person carrying on any transaction connected with paper to maintain such records relating to paper as he may specify;

(b) direct any person carrying on any transactions connected with paper to furnish and maintain such information as he may specify;

(c) inspect or cause to be inspected any books or any other documents belonging to or under the control of any person carrying on any transactions connected with paper;

<sup>1</sup>Substituted by Notification No. 308-PA(40)/44, dated the 26th February, 1946.

<sup>2</sup>Inserted by Notification No. 308-PA(109)/45, dated the 14th July, 1945.

- (d) enter and search or authorise any person to enter and search any premises in which any transaction connected with paper is carried on;
- (e) seize or authorise the seizure of any paper in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

10. Any court trying a contravention of this Order may without prejudice to any sentence which it may pass direct that any paper in respect of which the court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

### Schedule.

[Not printed here.]

*Notification No. 308-PA(98)/44, dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December, 1944, Pt. I, p. 1452.)*

In pursuance of clause 9 of the Paper (Prices of Imported Paper) Control Order, 1944, the Central Government is pleased to authorise any officer empowered in this behalf by any Provincial Government and by the Chief Commissioners, Delhi, Ajmer-Merwara, Coorg and Baluchistan to exercise the powers mentioned in the said clause.

*Notification No. 308-PA(160)/45, dated the 28th November, 1945, (published in the "Calcutta Gazette" of the 20th December, 1945, Pt. IA, p. 341.*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the Order shall be given by the publication of the same in the official Gazette and by the issue of a Press Note summarizing and explaining its provisions:—

1. (1) This Order may be called the Paper Price Control Order, 1945.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 1st January, 1946, on which date the Paper Price Control Order, 1944, shall cease to have effect:

Provided that anything done under any provision of that Order before that date shall be deemed to have been done under the corresponding provision of this Order;

Provided further that any reference in any order issued under the Defence of India Rules or in any notification issued thereunder to any provision of the Paper Price Control Order, 1944, shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Order.

#### 2. In this Order—

- (i) "manufacturer" means any person who manufactures paper and whose manufacturing capacity is not less than ten tons per month;
- (ii) "Paper" means paper manufactured in India and includes board manufactured in India, except board covered by the Paper Control (Prices of board) Order, 1944;
- (iii) "Schedule" means a Schedule appended to this Order;

(iv) "Scheduled variety of paper" means any variety of paper included in Schedule I;

(v) "controlled mill price" means in relation to any scheduled variety of paper, the price of that variety of paper specified in column (2) of Schedule I.

3. No manufacturer shall sell or offer to sell any variety of paper not being a scheduled variety without the special permission in writing of and at a price fixed by the Central Government.

4. No manufacturer shall sell or offer to sell any scheduled variety of paper except at f.o.r. destination price, the destination being any of the places specified in Schedule II, and such price shall not be higher than the controlled mill price of that variety of paper.

Provided that the controlled mill price for Bank paper, Bond paper and Ledger paper (including Azurelaid) specified in items (g) and (h) under 'I—Writing and Printing (except newsprint) papers' in Schedule I shall be applicable to these qualities only subject to the following conditions:—

(i) that the qualities shall conform to the following specifications:—

	Banks and Bonds.	Ledger (including azurelaid).
Size	18" × 23", 14½" × 18½" & 16½" × 21"	Any size
Substance	Maximum 18" × 23"—14 lbs.—500's Maximum 18" × 23"—18 lbs.—500's	Minimum 17½" × 22½"—17 lbs.—500's. Maximum 17½" × 22½"—34 lbs.—500's
Ash Content	Maximum 5 per cent.	Maximum 5 per cent.
Burst	Minimum 5 points (Mullen) above the Demy weight in lbs. as a result of 6 Mullen tests.	Minimum 5 points (Mullen) above the Demy weight in lbs. as a result of 6 Mullen tests.

(ii) that each sheet in a ream is watermarked with a device which was in use prior to 1st January, 1942.

(iii) that the qualities are registered with the <sup>1</sup>[Central Government]. For this purpose application in writing should be made to the <sup>1</sup>[Central Government], forwarding samples of each quality, together with copies of the label to be used on the outer packing of reams of that quality. The <sup>1</sup>[Central Government], if he is satisfied that the quality conforms to the conditions mentioned under (i) and (ii) above, shall register the quality and allot to it a registered number, provided that if after registration, he finds that the quality supplied to the market does not conform to the conditions specified in this clause, he may cancel the registration.

5. Every manufacturer shall allow a discount of not less than 10 per cent. on the sale price f.o.r. destination to any dealer, agent or distributor to or through whom the sale is effected.

<sup>1</sup>Substituted by Notification No. 308-P.A.(160)/45, dated the 28th February, 1946.

6. No person to or through whom sale of paper is effected by any manufacturer shall sell or offer to sell any scheduled variety of paper.

- (a) to any dealer in paper at a price which exceeds the controlled mill price thereof, and
- (b) to any person other than a dealer in paper at a price which exceeds the controlled mill price thereof by more than 10 per cent. :

Provided that in respect of sales for delivery at places other than those specified in Schedule II an additional charge not exceeding 3 pies per lb. may be made by the seller.

7. No person other than a manufacturer or a person to or through whom sale of paper is effected by any manufacturer shall sell or offer to sell any scheduled variety of paper at a price which exceeds the controlled mill price thereof by more than 10 per cent. in the case of a wholesale transaction, or 25 per cent. in the case of a retail transaction :

Provided that in respect of sales at places other than those specified in Schedule II an additional charge not exceeding three pies per lb. may be made by the seller.

*Explanation.*—For the purpose of this clause, a transaction in ream, reel or roll lots or in the case of boards in lots of one gross, or one hundred sheets, as the case may be, shall be deemed to be a wholesale transaction; and a transaction in smaller lots shall be deemed to be a retail transaction.

8. Notwithstanding anything contained in the Paper Control (Economy) Order, 1944, every manufacturer shall, before despatching any paper, affix on the outer packing of each ream, roll or reel as the case may be and, in the case of board, on the outer packing of each unit of one gross or 100 sheets, one label of not less than 50 and not more than 60 square inches in area or, if he prefers, two labels having a total area within the same limits, on which shall be conspicuously displayed the following particulars:—

- (a) name of manufacturer;
- (b) size of ream in inches or in the case of rolls or reels width of roll or reeling inches and length in feet or yards, or, in the case of board, the size of sheet in inches;
- (c) weight per ream or roll, or reel or, in the case of board, weight per gross or 100 sheets;
- (d) the name of the scheduled variety of paper with particulars relating to rag furnish and to any other features for which additional prices are permissible in accordance with clause 4;
- (e) the price determined in accordance with clause 7—
  - (i) per gross or 100 sheets and per dozen or 10 sheets, in the case of board,
  - (ii) per ream of 480 sheets and per quire of 24 sheets, in the case of kraft paper, and
  - (iii) per ream of 500 sheets and per quire of 25 sheets or in the case of paper in rolls or reels, the price per lb.;
- (f) the month and year of manufacture; and
- (g) in the case of Bank paper, Bond paper and Ledger paper (including Azurelaid) conforming to the conditions specified in the proviso to clause 4, a *facsimile* of the watermark appearing on each sheet in a ream and the registered number of the quality allotted by the Paper Controller, India :

Provided that in the case of labels affixed to small consignment of odd sizes left over from the quantity manufactured against Government orders, in lieu of the particulars prescribed under item (e) above the price per lb. for wholesale and retail transactions determined in accordance with clause 7 shall be indicated.

9. No person shall sell or stock for sale paper the outer packing of which has not been labelled in accordance with the provisions of clause 8.

10. Every person other than a manufacturer who sells or offers to sell paper shall, whenever required by any purchaser or prospective purchaser allow the latter to examine the label or labels affixed in accordance with the provisions of clause 8 to the outer packing of the paper in question.

11. Every person other than a manufacturer who sells or offers to sell paper shall prominently display in his place of business a list of wholesale and retail prices of all varieties of paper in which he deals, calculated in accordance with the provisions of clause 7 and shall whenever required by any purchaser or prospective purchaser allow him to examine it.

12. No person shall purchase or offer to purchase from a manufacturer or from any other person any scheduled variety of paper at a price higher than that at which it is permissible for the manufacturer or the other person to sell to him under the provisions of clauses 4, 5, 6 and 7.

13. If any question arises as to the maximum price which could be charged in any particular transaction or as to the variety according to Schedule I of any particular paper the question shall be referred to the [Central Government], whose decision thereon shall be final.

14. The Central Government may by notification in the official Gazette empower any authority to exercise any of the powers conferred upon it by the provisions of this Order.

15. Notwithstanding the provisions of clauses 3 to 12, the Central Government or such authority as the Central Government may authorise in this behalf may, if it is satisfied that special circumstances exist, by a special order authorise the doing of any act which would otherwise be in contravention of those provisions and may attach to the authorisation such directions or conditions as it thinks fit.

16. Any officer authorised in this behalf by the Central Government may,—

- (a) direct any manufacturer or any other person carrying on any transactions connected with paper to maintain such records relating to paper as he may specify;
- (b) direct a manufacturer of paper or any other person carrying on any transactions connected with paper to furnish such information as he may specify;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of any manufacturer of paper or of any other person carrying on any transactions connected with paper;
- (d) enter and search or authorise any person to enter and search any premises in which paper is manufactured or any transaction connected with paper is carried on;
- (e) seize or authorize the seizure of any paper in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.



17. Any court trying a contravention of this Order may, without prejudice to any sentence which it may pass, direct that any paper in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His majesty.

### Schedule I.

[Not printed here.]

### Schedule II.

BENGAL AND ASSAM.

[Not printed here.]

*Notification No. 308-PA(96)/44, dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December, 1944, Pt. I, p. 1542).*

In pursuance of clause 11 of the Paper Price Control Order, 1944, the Central Government is pleased to authorise any officer empowered in this behalf by any Provincial Government and by the Chief Commissioners, Delhi, Ajmer-Merwara, Coorg and Baluchistan to exercise the powers mentioned in the said clause.

*Notification No. 300/PA(15)-44, dated the 2nd December, 1944 (published in the "Gazette of India", of the 2nd December, 1944, Pt. I, p. 1542).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that one copy of each issue of the newspapers published after the 12th June, 1944, required to be furnished under clause 5 of the Paper Control (Economy) Order, 1944, and returns required to be submitted under clauses 15, 20 and 27 of the said Order shall in respect of the Provinces specified in column 1 of the Schedule appended hereto be submitted hereafter to the authorities mentioned in the corresponding entry in column 2 of the said Schedule, instead of to the Paper Controller as defined in the said Order.

### Schedule.

Province.	Authority.
1	2
Bengal .. ..	Special Officer, Paper Control, Government of Bengal, Calcutta.
Bombay .. ..	Paper Controller, Government of Bombay, Bombay.
Bihar .. ..	Provincial Paper Controller, Government of Bihar, Patna.
Punjab .. ..	Provincial Paper Controller, Government of the Punjab, Lahore.
Madras .. ..	Paper Controller, Government of Madras, Madras.
United Provinces .. ..	Paper Controller, Government of the United Provinces, Allahabad.
Orissa .. ..	Provincial Paper Controller, Government of Orissa, Cuttack.
Delhi .. ..	The Director of Civil Supplies, Delhi.
Ajmer-Merwara .. ..	The Director of Civil Supplies, Ajmer-Merwara, Ajmer.
Baluchistan .. ..	Provincial Paper Controller, Quetta.
Sind .. ..	Assistant Director of Civil Supplies (Paper), Government of Sind, Karachi.
Assam .. ..	Commissioner of Excise, Assam.
North-West Frontier Province .. ..	Provincial Paper Controller, North-West Frontier Province, Peshawar.
Central Provinces and Berar .. ..	Provincial Paper Controller, Government of Central Provinces and Berar, Nagpur.
Coorg .. ..	Chief Commissioner, Coorg, Mercara.

**(XIII) RUBBER.**

*Notification No. 8(2)-I. P./46, dated the 30th April, 1946 (published in the "Gazette of India, Extraordinary" of the 30th April, 1946, p. 311).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the Order shall be given by the publication of the same in the official Gazette and by the issue of a Press Note summarizing and explaining its provisions:—

**I. PRELIMINARY.**

1. *Short title and commencement.*—(1) This Order may be called the Rubber Control and Production Order, 1946.

(2) It shall come into force at once.

(3) The Rubber Control and Production Order, 1942, is hereby repealed; provided that any thing done under any provision of that Order shall be deemed to have done under the corresponding provision of this Order:

Provided further that any reference in any order issued under the Defence of India Rules or in any Notification issued thereunder to any provision of the Rubber Control and Production Order, 1942, shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Order.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context—

- (a) "approved" and "licensed" mean respectively approved and licensed by the Board;
- (b) "board" means the Indian Rubber Production Board constituted under this Order;
- (c) "controller" means the Controller of Rubber in the Directorate General of Industries and Supplies;
- (d) "dealer" means any person who deals in rubber (not being goods manufactured from rubber) or holds stocks thereof and includes his representative or agent;
- (e) "estate" means any area of 100 acres or more administered as one unit which contains land planted with rubber plants;
- (f) "form" means a Form set out in the Second Schedule to this Order;
- (g) "holding" means any area of less than 100 acres administered as one unit which contains land planted with rubber plants;
- (h) "manufacturer" means any person engaged in the manufacture of articles in the making of which rubber is used;
- (i) "owner" includes any agent or accredited representative of an owner;
- (j) "rubber" means the following, namely:—
  - (i) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber plant;

- (ii) the latex of any plant whether fluid or coagulated in any stage of the treatment to which it is subjected during the process of conversion into rubber;
- (iii) latex (dry rubber content) in any state of concentration.

## II. THE INDIAN RUBBER PRODUCTION BOARD.

3. *Constitution and incorporation of the Board.*—(1) The Central Government shall constitute for the purpose of this Order a Board to be called the Indian Rubber Production Board and such Board shall be a body corporate and have perpetual succession and a common seal and shall sue and be sued by the said name.

(2) The Board shall consist of a Chairman and the following members, namely:—

- (a) not less than two but not more than four members to be nominated from time to time by the Central Government;
- (b) two members to be nominated by the Government of Travancore;
- (c) one member to be nominated by the Government of Madras;
- (d) one member to be nominated by the Government of Cochin;
- (e) one member to be nominated by the United Planters' Association of Southern India;
- (f) one member to be nominated by the Rubber Grower's Association;
- (g) one member to be nominated by the Association of Planters of Travancore;
- (h) one member to be nominated by the Central Government from among the approved dealers;
- (i) the Rubber Production Commissioner, appointed under clause 5;

(3) The Chairman of the Board shall be nominated by the Central Government, and, if he is not already a member he shall also be a member of the Board.

(4) The Central Government may nominate an additional member to the Board on the recommendation of the Association of Rubber Manufacturers.

(5) No act done by the Board shall be questioned on the ground merely of the existence of vacancy in or any defect in the constitution of the Board.

4. *Vacancies in the Board.*—If any authority or body fails to make within a reasonable time any nomination which it is entitled to make under clause 3, the Central Government may itself nominate a member to fill the vacancy.

5. *Executive Officers of the Board.*—(1) The Central Government shall appoint a Rubber Production Commissioner to exercise such powers and perform such duties under the direction of the Board as may be prescribed by the Central Government.

(2) The Central Government shall appoint a Secretary to the Board to exercise such powers and perform such duties:—

- (i) under the direction of the Board as may be prescribed by the Central Government, or

• (ii) as may be delegated to him by the Rubber Production Commissioner.

• (3) The Rubber Production Commissioner and the Secretary shall while holding these posts, be whole time servants of the Crown in India and shall be paid by the Board such salaries and allowances as may be fixed by the Central Government. Their conditions of service will also be regulated by the Central Government.

6. *Committees of the Board.*—The Board may appoint such Committees as may be necessary for the efficient performance of the duties and functions imposed on the Board by this Order. For the purpose of these Committees, the Board shall have powers to co-opt any person or persons, as may be deemed necessary, outside the Board.

7. *Functions of the Board.*—(1) The Board shall—

- (a) encourage and ensure increased production of rubber by all possible means through intensification of tapping, new planting, re-planting, training students selected by the Board in improved methods of planting and cultivation, manuring and spraying, the distribution and maintenance of machinery or estate requisitions, propaganda, scientific research and any other matters that may be necessary;
- (b) maintain a register of estates and holdings which have been approved and of dealers who have been approved or licensed;
- (c) submit to the Central Government not less than once a month a report showing:—
  - (i) the stocks of all grades of rubber held by each approved estate or holding and each approved or licensed dealer as on the last day of the period for which returns of stocks have been last received by the Board;
  - (ii) an estimate of all grades of rubber expected to be available for distribution in the three months following the date of the submission of the report; and
- (d) carry out such duties in respect of this Order and furnish such other reports as may be required by the Central Government from time to time.

(2) The Board may—

- (a) supply technical advice for general guidance to rubber growers;
- (b) approved estates and dealers, and also any holding having a rubber planted acreage of not less than 50 acres, if any application from such a holding is received by the Board;
- (c) grant licences to dealers authorising them to purchase rubber from unapproved estates and holdings and to sell rubber to approved dealers; and
- (d) grant licences to persons applying for new planting or replanting of rubber.

8. *Keeping and Auditing of Accounts.*—(1) The Board shall keep account of all fees received by it and of the manner in which they are expended.

(2) Such accounts shall be examined and audited annually by auditors appointed in this behalf by the Central Government.

(3) If any item of expenditure is disallowed by the auditors an appeal shall lie to the Central Government whose decisions in the matter shall be final.

9. *Half-yearly Reports.*—The Board shall submit to the Central Government and the Governments of Travancore, Cochin and Madras a half-yearly report on the activities of the Board and the working of this Order.

10. *Powers to make Regulations.*—(1) The Central Government may, by notification in the official Gazette, make regulations to carry out the purposes of this Order.

(2) Without prejudice to the generality of the foregoing power, regulations may be made providing for all or any of the following matter:—

- (a) the regulation of procedure to be followed at meetings of the Board;
- (b) the appointment of Vice-Chairman of the Board, Committees of the Board and the delegation to such Vice-Chairman, Committees members or officers of the Board of any of the powers of the Board under the Order;
- (c) the regulation of the grant of pay, leave and travelling allowances and bonuses to officers and servants of the Board;
- (d) the determination of the travelling allowances of members of the Board or of its Committees;
- (e) the creation of posts, appointments, promotions and dismissals of officer and servants of the Board;
- (f) the establishment and maintenance of offices by the Board;
- (g) the term of the office of members of the Board and the authority by which members may be removed;
- (h) the conduct of business by the Board and the number of members which shall form a quorum at a meeting;
- (i) the maintenance by the Board of records of business transacted, and the submission of copies thereof to the Central Government;
- (j) the preparation of annual estimates of receipts and expenditure and maintenance of such accounts and expenditure;
- (k) the maintenance of deposit of the funds of the Board in Banks;
- (l) regulation of the admission or removal of an estate, holding or dealer to or from the register of approved estates, and holdings and approved or licensed dealers.

### III. ACQUISITION AND SALE OF RUBBER.

11. *Restriction on sale of rubber.*—(1) No owner of an approved estate or approved holding and no approved dealer shall sell or otherwise transfer or dispose of any rubber except under a permit issued by the Controller and at prices specified in the First Schedule to this Order. No licensed dealer shall sell or otherwise transfer or dispose of any rubber, except to an approved dealer and no other person shall sell or otherwise transfer or dispose of any rubber except to an approved or licensed dealer.

(2) Permits issued under this clause shall be valid only for the period indicated therein, unless extended.

\* 12. *Prohibition of production of sole crepe rubber.*—(1) No person shall produce or sell sole crepe rubber and no person shall have any stock of sole crepe rubber, in his possession except under a permit issued by the Controller.

(2) Permits issued under this clause shall be valid only for the period indicated therein, unless extended.

13. *Restriction on possession of rubber.*—(1) No person not being the owner or occupant of an estate or holding, or an approved or licensed dealer or a person who has acquired rubber under a permit granted by the Controller, shall have any rubber in his possession.

(2) Any court trying a contravention of sub-clause (1) may, without prejudice to any sentence that may be passed, direct that any rubber in respect of which the court is satisfied that sub-clause (1) has been contravened shall be forfeited to His Majesty.

#### IV. DISTRIBUTION OF RUBBER TO MANUFACTURERS FOR PURPOSES OF MANUFACTURE.

14. *Acquisition of rubber by manufacturers.*—(1) No manufacturer shall acquire or purchase rubber except from a person authorised by the Controller in this behalf.

(2) Any manufacturer wishing to purchase or otherwise acquire rubber shall apply in Form "A" to the Controller.

(3) The Controller may in his discretion reject any application made under sub-clause (2). In case the Controller agrees to issue to the applicant a permit in Form "B" he will inform the applicant accordingly stating the quantity of rubber in respect of which a permit will be issued and the applicant shall deposit in a Government Treasury for credit to the account of the Indian Rubber Production Board, a fee at the rate of four annas per 100 lbs. or part thereof and forward the relative chalan to the Controller on receipt of which a permit will be issued by the Controller.

(4) Permits issued under this clause shall be valid only for the period indicated therein, unless extended.

15. *Use of rubber by manufacturers who produce rubber.*—(1) No manufacturer holding stocks of rubber produced by himself shall use such rubber for the purpose of manufacture except under a permit granted by the Controller in this behalf, application for which shall be made in Form "C".

(2) The Controller may reject any application made to him under sub-clause (1). In case the Controller agrees to issue to the applicant a permit in Form "D" he will inform the applicant accordingly stating the quantity of rubber in respect of which a permit will be issued and the applicant shall deposit in a Government Treasury for credit to the account of the Indian Rubber Production Board, a fee at the rate of four annas per 100 lbs. or part thereof and forward the relative chalan to the Controller on receipt of which a permit will be issued by the Controller.

(3) Permits issued under this clause shall be valid only for the period indicated therein, unless extended.

16. *Restriction of manufacture from or disposal of rubber imported.*—No person shall manufacture, possess, sell or otherwise dispose of stocks of rubber imported by him except on the written authority of the Controller to whom application in this behalf shall be made in Form "E" within seven days of the arrival of the imported stocks.

17. *Revocation of permits.*—The Controller may in his discretion at any time revoke or cancel any permits granted by him under Parts III and IV of this Order. Any permit so revoked shall be returned to the Controller by the person to whom it was granted.

## V. EXTENSION OF PLANTING.

18. *Licenses for planting or replanting rubber.*—(1) No person shall plant or replant rubber except under and in accordance with a licence granted by the Board.

(2) Any owner of an estate or holding or any person wishing to undertake new planting or replanting of rubber shall apply to the Board in Form "F".

(3) The Board shall consider all applications for licences and may grant licences in Form "G" in respect of the whole or any part of the area asked for in the application or may refuse to grant a licence.

(4) The licence shall specify the area of planting and or replanting and the period for which the licence shall be valid.

(5) The Board may issue licences, either separately for any single area or jointly for any number of areas, as it may deem convenient.

19. *Transfer of licences.*—Any right of new planting of rubber granted by the licence under this Order in respect of any particular land shall be deemed to be attached to such land and shall not be transferable apart from the land on which such right is permitted to be exercised.

20. *Return of areas planted or replanted.*—Every holder of a licence shall at such times as the Board may, from time to time, require, furnish to the Board a return giving the areas newly planted or replanted during that period in pursuance of such licences together with such other particulars, as may be required by the Board for the purposes of this Order.

21. *Revocation of licences.*—The Board may at any time revoke or cancel any licence if it is satisfied that the holder of the licence obtained the same by a mis-representation or fraud or if he fails to submit the necessary returns as prescribed under clause 20.

## VI. RETURNS OF STOCKS AND PROVISION FOR INSPECTION OF ESTATES, HOLDINGS AND PREMISES OF DEALERS AND RETURNS OF STOCKS AND PROVISION FOR INSPECTION OF MANUFACTURING HOUSES.

22. *Submission of returns by estates, holdings and dealers approved or licensed under this Order.*—The Board may serve by post a notice upon:—

(a) the owner of any estate or holding requiring him to furnish within such period, not being less than thirty days, as may be specified in the notice, such returns and documents relating to the area planted with rubber or to the production (including cost of production) and sale of rubber produced on the estate or holding or to the ownership of the estate or holding or to any other matter as it may deem necessary to enable it to discharge its duties under this Order.

(b) any approved or licensed dealer or any other person if the Board has reason to believe that such person has any rubber in his possession requiring him to furnish within such period, not being less than thirty days, as may be specified in the notice, such returns and documents relating to stocks of rubber held and sale of rubber or to any other matter as it may deem necessary to enable it to discharge its duties under this Order.

23. *Submission of returns by manufacturers.*—The Controller may serve by post a notice on any manufacturer requiring him to furnish within such period not being less than thirty days as may be specified in the notice such documents and particulars relating to the acquisition and utilisation of rubber and manufactures of rubber produced in the factory or other premises (including cost of production) or to the ownership of the factory or premises or to any other matter as he may deem necessary to enable him to discharge his duties under this Order.

24. *Submission of returns of stocks of rubber.*—On a day or days to be notified by the Board every owner of an estate or holding approved under this Order shall submit to the Board a true return of the stocks of raw rubber held, and every dealer shall submit a true return in Form "H" of the amounts of all grades of rubber acquired and utilised or disposed of by him during the preceding month and in his possession on the last day of the preceding month.

25. *Submission of returns of rubber manufacturers.*—Every manufacturer shall, on or before the 15th day of every month, submit to the Controller a true return, in duplicate in Form "I"—

(a) in Part I in respect of all quantities of rubber acquired and utilised or disposed of by him during the preceding month and in his possession on the last day of the preceding month, and

(b) in Part II in respect of articles (including component parts or articles and vulcanised articles) manufactured, whether wholly or partly of rubber, in his factory or premises during the preceding month.

26. *Maintenance of Accounts of Stocks and provision for inspection.*—Every owner of an estate and holding, approved under this Order, every manufacturer, and every dealer approved or licensed under this Order shall—

(a) maintain proper books of accounts and other records relating to stocks and all grades of rubber, including such information as the Central Government may direct to be compiled;

(b) produce to an officer authorised by the Central Government or by the Board in this behalf such books of accounts or other records relating to his business as may be required by the said officer; and

(c) permit any officer authorised by the Central Government in this behalf to enter upon and inspect any land or factory or premises used for or in connection with his business.

27. *Power to inspect premises.*—An officer authorised by the Rubber Production Commissioner or by the Controller in this behalf may inspect any premises for ascertaining whether the premises contain any rubber, or for verifying the statements in any return or document submitted by the owner or occupant of the premises or by any other person.

## VII. TRANSIT OF RUBBER.

28. *Transit Certificates.*—No person shall consign or despatch rubber for transit by rail or sea to any place unless accompanied by a Transit Certificate in Form "J" issued by the Controller provided that nothing in this Order shall prevent the consignment or despatch of rubber by rail or sea to any of the following places;

Alleppey.

Alwaye.

Calicut.

Cochin harbour terminus.

Kottayam.

Quilon.

Trivandrum.

Trichur.



29. *Endorsement of Transit Certificates.*—Each time rubber is despatched by rail or sea under the authority of any such Transit Certificate, the Railway or Shipping Authorities concerned shall endorse on the Certificate in the space provided the amount of rubber accepted for despatch.

### VIII. SUPPLEMENTARY PROVISIONS.

30. *Appeal to the Central Government.*—(1) Any person aggrieved by an order, or decision or award of the Board, except in matters dealt with in clauses 17 to 22 may appeal to the Central Government within thirty days from the date thereof and the Central Government may, on such appeal, cancel, modify or suspend any such order, decision or award.

(2) Any person aggrieved by any order or decision of the Controller may appeal to the Central Government within thirty days from the date thereof and the Central Government may on such an appeal cancel, modify or suspend any such order or decision.

31. *Appeal to Provincial Governments.*—The owner of any estate or of holding or any person aggrieved by any order, decision or award of the Board in respect of matters dealt with in clauses 17 to 22, may appeal to the Government of the Province where the estate or holding is situated or where he intends to plant or has planted rubber, within thirty days from the date thereof and the Provincial Government may on such an appeal, cancel, modify or suspend any such order, decision or award.

32. *Control of the Central Government.*—(1) All acts of the Board shall be subject to the general control of the Central Government which may cancel, suspend or modify, as they think fit, any action taken by the Board.

(2) The records of the Board shall be open to inspection at all reasonable times by an officer authorised in this behalf by the Central Government.

33. *Delegation of Controller's powers.*—The Controller may, by order in writing, delegate to any person all or any of the powers conferred upon him under this order.

#### **The First Schedule.**

(See clause 11.)

· RAW RUBBER PRICES.

[Not printed here.]

#### **The Second Schedule.**

##### **FORM A.**

*Rubber Control and Production Order, 1946.*

[Clause 14 (2).]

[Not printed here.]

*Notification No. 5(18)-F. P./45, dated the 11th August, 1945 (published in the "Gazette of India" of the 11th August, 1945, Pt. I, p. 1078).*

In exercise of the powers conferred by sub-clause (c) of clause 27 of the Rubber Control and Production Order, 1942, the Central Government is pleased to authorize the Rubber Production Commissioner, the Secretary,

Indian Rubber Production Board, and the Inspector, appointed by the said Board, to enter upon and inspect any land or factory or premises used for or in connection with the business of owners of estates and holdings, manufacturers and dealers mentioned in the said clause.

*Notification No. 269(23)-Tr.(R)/42, dated the 23rd November, 1942 (published in the "Calcutta Gazette" of the 10th December, 1943, Pt. 1A, p. 979).*

In exercise of the powers conferred by clause 10 of the Rubber Control and Production Order, 1942, the Central Government is pleased to make the following regulations, namely:—

1. These regulations may be called the Rubber Control and Production Regulations, 1942.

*Short title and definitions.*

2. In these regulations—

- (1) "Order" means the Rubber Control and Production Order, 1942;
- (2) "Board" means the Indian Rubber Production Board constituted under the Order;
- (3) "Controller" means the Controller of Rubber Manufactures in the Directorate General of Supply, Central Government;
- (4) "Commissioner" means the Rubber Production Commissioner appointed under sub-clause (1) of clause 5 of the Order;
- (5) "Secretary" means the officer appointed under sub-clause (2) of clause 5 of the Order.

3. (1) The Chairman of the Board may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the Board, call a meeting of the Board for the transaction of business.

(2) The Chairman of a committee appointed under the Order may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the committee, call a meeting of the committee for transaction of business.

(3) The Central Government may appoint a Vice-Chairman from among the members of the Board and assign to him such functions as it may deem fit.

4. (1) The Chairman of the Board or of a committee shall, if present, preside at meetings of the Board or of the committee, as the case may be.

(2) In the absence of the Chairman, the members of the Board or of the committee, as the case may be, shall elect one of their number to preside.

5. (1) All questions which may come before the Board or its committee at any meeting shall be decided by a majority of votes. No member shall vote by proxy.

(2) In the event of an equality of opposing votes at any meeting of the Board or a committee the Chairman or in his absence the President elected under regulation (2) shall have a second or casting vote.

6. (1) Any business which the Board or a committee is required to transact may, if the Chairman of the Board or of the committee so directs, be referred to it by circulation to all members, and any resolution or proposal so circulated and approved by a majority of the members who have recorded their views in writing, shall be as effectual and binding as if such resolution or proposal were decided by a majority of votes at a meeting.

(2) When any business is referred to the members of the Board or of a committee by circulation, the Chairman of the Board or the committee concerned shall allow such period as may be fixed at a meeting by the Board or the committee, as the case may be, for the receipt of replies.

7. (1) The Board shall have power to delegate to committees appointed by it under clause 6 of the Order such powers as it deems fit.

(2) Members of a committee shall elect a Chairman from amongst themselves.

8. All committees appointed under the Order shall exercise their powers, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of all committees shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

9. (1) The Commissioner may receive applications for permission to plant rubber plants under clause 17 of the Order, and subject to the orders of the Board may grant or refuse the permission applied for or grant such permission in part only or call for further information from the applicant.

(2) In the absence on leave, through illness or other causes, of the Commissioner the powers delegated to him under this regulation may be exercised by the Secretary when empowered by the Board in that behalf.

(3) The powers delegated under this regulation shall be exercised subject to the control of the Board.

10. For attendance at any meeting of the Board or of a committee, the members will be entitled to the travelling and daily allowances at the following rates:—

*Government Official Members.*—Travelling and daily allowances under the ordinary service rules of the Government servant concerned.

*Non-official Members.*—For journeys performed to attend Board's or committee's meetings, rail or steamer fare and road mileage as for Government servants of the first grade serving under the Government of India, *plus* a daily allowance of Rs. 1[15] per diem for days of attendance at meetings or days of residence in connection with Board's or committee's meetings, at a place other than the usual place of residence of the member concerned.

11. (1) The Board shall, from time to time, fix the scale of establishment and the salaries and allowances of all officers and servants to be employed by it and require security in such instances and to such amount as it thinks fit.

Provided that:—

(a) no post of which the maximum salary is Rs. 500 per mensem or more shall be created and filled without the previous sanction of the Central Government;

(b) the grant of leave, pay and allowances to officers and servants of the Board, who are not in Government service, shall be regulated by rules made by the Board so however that in respect of officers engaged on contract leave rules to be framed by the Board shall be decided with due regard to the provisions of the model leave terms framed by the Central Government for officers engaged on contract under its control; and

(c) conditions determined by the Board under this sub-regulation shall not be more favourable than the rules applicable to corresponding classes of Central Government servants.

(2) Subject to sub-regulation (1) and save in regard to Government servants who are on deputation to the Board, the Chairman shall have power to appoint, dismiss, grant leave, to fine, suspend or reduce any person in the service of the Board:

Provided that no person shall be appointed to, or dismissed from, an office the salary of which is Rs. 100 per mensem and upwards without the sanction of the Board at a meeting.

12. The Board shall maintain an office for the transaction of its business and may open branch offices should necessity arise.

13. Not less than two meetings of the Board shall be held in each year.

14. Five members shall form a quorum for meetings of the Board and three members shall form a quorum for meetings of any committee.

15. A record shall be maintained of all business transacted by the Board or by any committee.

16. (1) The Board's working year shall be the calendar year. The Board shall, in the month of November in each year, prepare an estimate of its receipts and expenditure for the year commencing on the first day of January next ensuing.

(2) A copy of such estimate shall be submitted for approval to the Central Government in the first week of December.

17. (1) The accounts of the Board shall be made up for each calendar year and forwarded to the Central Government as soon as possible after its close.

(2) The receipts shall include all sums received by the Board during the year to which the accounts relate and shall be shown under the following heads:—

- (a) Sums received under clause 11 of the Order;
- (b) Any other moneys received by the Board by way of grant or otherwise;
- (c) Interest accrued on investments;
- (d) Miscellaneous.

The opening balance shall be shown at the head of the account on the receipt side.

(3) The expenditure shall be shown under the following heads or any other head or heads that may be decided upon by the Board from time to time:—

- (a) Office rent;
- (b) Officers' salaries and establishment charges;
- (c) Travelling and daily allowances;
- (d) Stationery and printing;
- (e) Postage and telegrams;
- (f) Measures taken for intensifying tapping and promoting research and propaganda, etc.;
- (g) Miscellaneous.

The closing balance of the year shall be shown at the foot of the expenditure side.

18. (1) The current account of the Board shall be kept in the Imperial Bank of India or such other bank as the Central Government may approve, and all moneys at the disposal of the Board, with the exception of petty cash and of moneys placed in fixed deposit or invested in accordance with the provisions hereinafter contained, shall be paid into that account.

(2) Any funds not required for current expenditure may be placed in fixed deposit with any bank approved in this behalf by the Central Government or invested in the name of the Board in any security in which trust property may lawfully be invested under the Indian Trusts Act, 1882.

(3) The placing of money in fixed deposit and the investment thereof and the disposal of moneys so placed or invested shall require the sanction of the Chairman of the Board.

(4) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against the current account of the Board.

(5) Such cheques and all orders for making deposits or investments, or for the withdrawal of the same, or for the disposal in any other manner of the funds of the Board shall be signed by the Secretary and countersigned by the Commissioner or any other member authorised by him in this behalf.

19. The Board may, with the approval of the Central Government, issue rules either for the payment of a bonus to, or for the creation of a Provident Fund for, its employees and also for the grant of leave to its employees.

*Regulations for inclusion in list of approved estates, approved holdings and approved or licensed dealers.*

20. Every estate which has a rubber planted area of not less than one hundred acres, shall be eligible to be registered as an "approved estate" and every holding which has a rubber planted area of not less than 50 acres administered as one unit, as an "approved holding".

21. Every dealer of sound financial position and standing who has dealt in rubber for a period of three years prior to 1st April 1942, to the extent of an average of not less than one hundred tons of dry rubber per annum, or who has a present stock of 100 tons of dry rubber, or who is capable of dealing in an average of 100 tons of dry rubber per annum, shall be eligible to be registered as an "approved dealer" and every *bona fide* dealer in rubber shall be eligible to be registered as a licensed dealer.

22. Any dealer desiring to be registered as an approved dealer or as a licensed dealer and any owner of an estate or holding desiring to have the estate or holding registered as an approved estate, shall make an application to the Board in the form prescribed, if any, by the Board and shall also produce before the Board such evidence of eligibility as is required by the Board.

23. If the Board is satisfied that an estate or holding or dealer satisfies the requirements of eligibility, the Board may sanction the application in respect of such estate or holding or dealer, whereupon the name of such estate or holding or dealer shall be entered in the Register of approved estates or holdings, or of approved or licensed dealers, as the case may be, and a certificate thereof granted to the applicant. If the Board is not so satisfied it may reject the application.

24. Any breach of contract or failure to meet obligations on the part of any approved estate, approved holding or approved or licensed dealer, or any default or failure on their part to comply with the requirements of the Order or of these regulations or of any supplementary Order or Regulations which may hereafter be made or of any of the lawful demands made

from time to time by the Board or any cessation or suspension of production or dealing by any estate or holding or dealer approved or licensed under the Order, or the commission or wilful omission by them of any act or thing which in the opinion of the Board may tend to be prejudicial or detrimental to the object and purpose of the Order, shall make such estate or holding or dealer liable for suspension or removal by the Board from the Register of approved estates or holdings or the Register of approved or licensed dealers, as the case may be, and consequent suspension or cancellation of the relative certificates granted by the Board.

25. The Board shall have the discretion at any time to suspend or remove the name of any estate or holding or dealer approved or licensed under the Order from the Register of approved estates or holdings or the Register of approved or licensed dealers, as the case may be, for any of the foregoing reasons or for any other reason which the Board may deem sufficient.

26. Every sale or transfer to rubber between the owners of approved estates and holdings and approved or licensed dealers shall be supported by such receipts and vouchers as the Board may from time to time prescribe.

*Notification No. 271 (I)-Tr. (I. E. R.)/42, dated the 24th March, 1942 (published in the "Calcutta Gazette" of the 30th April, 1942, Pt. IA, p. 343).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. *Short title and commencement.*—(1) This Order may be called the Rubber Control Order, 1942.

(2) It shall come into force on the 1st April, 1942.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context—

(a) "the Act" means the Indian Rubber Control Act, 1934 (XXVIII of 1934);

(b) "approved" means approved by the Committee for the purpose of granting permits for sale or transfer of rubber in the Indian market;

(c) "Committee" means the Indian Rubber Control Committee constituted under clause 3;

(d) "dealer" means any person who deals in rubber (not being goods manufactured from rubber) or holds stocks thereof;

(e) "estate" means any area of or over 100 acres administered as one unit which contains land planted with rubber plants;

(f) "Form" means a form appended to this Order;

(g) "manufacturer" means any person engaged in the manufacture of articles containing rubber and includes his representative or agent;

(h) "rubber" means the following, namely:—

(i) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber plant;

(ii) the latex of any rubber plant, whether fluid or coagulated, in any stage of the treatment to which it is subjected during the process of conversion into rubber;

(iii) latex (dry rubber content) in any state of concentration.

3. *The Indian Rubber Control Committee.*—(1) There shall be constituted for the purposes of this Order a Committee to be called the Indian Rubber Control Committee consisting of—

- (a) the members of the Indian Rubber Licensing Committee constituted under the Act, and
- (b) one person to be nominated by the Association of Rubber Manufacturers in India,

and the Chairman of the Indian Rubber Licensing Committee shall be its Chairman.

(2) So far as they are not inconsistent with this Order, rules made under section 10, and by-laws made under section 6, of the Act shall apply *mutatis mutandis* in relation to the Indian Rubber Control Committee and the sub-committees appointed under this Order.

4. *Sub-committees and executive officers of the Committee.*—The Committee may appoint such sub-committees and such executive officers as may be necessary for the efficient performance of the duties imposed upon it by this Order and may prescribe the procedure to be followed by such sub-committees in functioning for the purposes of this Order:

Provided that sub-committees or executive officers appointed by the Indian Rubber Licensing Committee constituted under the Act shall be deemed to have been duly appointed under this Order:

Provided further that the prescribed procedure to be followed by such sub-committees shall include a provision for reference to the Committee of any point upon which opinion in the sub-committee may not be unanimous.

5. *Functions of the Committee.*—(1) The Committee shall—

- <sup>1</sup>(a) approve estates and dealers for the purpose of this Order and maintain a register of approved estates and dealers;
- <sup>1</sup>(b) receive the permits sent by the manufacturers after utilisation and check them and the endorsements thereon with the copies of permits sent by the Controller of Rubber Manufactures;
- <sup>1</sup>(c) submit to the Central Government in the Commerce Department quarterly returns on the working of this Order;
- (d) submit to the Central Government in the Commerce Department so as to reach that Department on or before the fifteenth day of each month beginning with the 15th May, 1942, a report showing—

2\*                      \*                      \*                      \*                      \*                      \*

<sup>2</sup>[(i)] the stock of all grades of rubber held by each approved estate or dealer on the last date of the month for which returns of stocks have been last received by the Committee distinguishing clearly between the grades which are suitable or required for manufacture in India and those which are not, and

<sup>2</sup>[(ii)] an estimate of all grades of rubber expected to be available for distribution in the three months following the date of the submission of the report;

(e) carry out such other functions in respect of this Order as the Central Government may from time to time assign to it.

<sup>1</sup>Substituted by notification No. 279(1)-Tr.(R)-I. E. R./42.

<sup>2</sup>Clause (i) was omitted and clauses (ii) and (iii) were renumbered as clauses (i) and (ii), *ibid*.

(2) The Committee may—

- (a) make rules consistent with this Order to regulate the admission or removal of an estate or dealer to or from the register of approved estates or dealers;
- (b) inspect approved estates or premises of approved dealers;
- (c) examine consignments of rubber sent in pursuance of a permit;
- (d) reject consignments which are not suitable or are not of the required grade;
- (e) ensure that consignments are duly despatched and delivered;
- (f) require approved estates or dealers to submit such returns at such intervals and on such occasions as the Committee may prescribe.

(3) All rules made under sub-clause 2(a) shall be subject to the previous sanction of the Central Government.

<sup>16</sup>. *Business of the Committee.*—All questions which may come before the Committee at any meeting or by circulation of papers shall be decided by a majority of votes.

<sup>17</sup>. *Acquisition of Rubber by manufacturers in the Indian Market.*—(1) Any manufacturer wishing to purchase or otherwise acquire rubber in the Indian market shall apply in Form A to the Controller of Rubber Manufactures.

(2) The Controller of Rubber Manufactures may in his discretion reject any application made under sub-clause (1), in which case he shall inform the applicant, or issue to the applicant, upon payment of the fee prescribed in clause 8, a permit in Form B for the purchase of such quantity of rubber, and subject to such conditions, as he may deem fit to specify in the permit.

(3) The manufacturer to whom a permit has been issued under this clause shall have it endorsed by the approved estates or dealers from whom he purchases or otherwise acquires rubber from time to time in pursuance thereof, and after the permit has been utilised, send it to the Committee.

(4) The Controller of Rubber Manufactures shall send to the Committee a copy of every permit issued by him under this clause.

(5) Permits issued under this clause shall cease to be valid on the expiry of three months from the date of issue.

<sup>18</sup>. *Fees for permits.*—(1) There shall be paid by the manufacturer for every permit in Form B a fee at the date of two annas and six pies for every hundred pounds, or part thereof, of rubber covered by the permit; but the manufacturer shall be entitled to recover the amount *pro rata* from the approved estates and dealers from whom he purchases or otherwise acquires rubber from time to time in pursuance of the permit.

(2) The fee shall be credited to the accounts of the Indian Rubber Licensing Committee constituted under the Act.

8A. *Use of rubber held by manufacturers who produce rubber.*—(1) Any manufacturer holding stocks of rubber produced by him shall, before using such rubber for purposes of manufacture, apply every month in <sup>1</sup>[Form BB] to the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi.

(2) The Controller of Rubber Manufactures may reject any application made to him or grant an authority to the manufacturers to use such rubber under such conditions as he may deem fit. In either case, he shall inform the applicant of the action taken.



9. *Restriction of manufacture from, or disposal of, stocks held by manufacturers on the 1st April, 1942, or purchased by them and in transit, or awaiting delivery on that date.*—No manufacturer shall manufacture, process, sell or otherwise dispose of stocks of raw rubber held by him on the 1st April, 1942, or shall sell or otherwise dispose of raw rubber purchased and in transit or awaiting delivery on that date except on the written authority of the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi, to whom application in this respect should be made on Form C.

9A. *Restriction of manufacture from, or disposal of, rubber imported after the 1st April, 1942.*—No manufacturer shall manufacture, process, sell or otherwise dispose of stocks of rubber imported by him after the 1st April, 1942, except on the written authority of the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi, to whom application in this respect shall be made on Form D within seven days of the arrival of such imported stocks.

10. *Sale of rubber in the Indian market.*—On and after the 1st April, 1942—

- (a) no person shall sell or otherwise transfer to a manufacturer in the Indian market any rubber except through an approved estate or dealer;
- (b) no approved estate or dealer shall sell or otherwise transfer to a manufacturer in the Indian market any rubber except under the authority of and in accordance with the conditions contained or incorporated in a permit granted by the <sup>1</sup>[Controller of Rubber Manufactures].

11. *Arbitration.*—If any dispute arises between an approved estate or dealer on the one hand and a manufacturer on the other concerning the supplies of rubber, the dispute shall be referred to the Committee which shall arbitrate between the parties and make such award thereon as it may think proper.

12. *List of manufacturers.*—The Central Government in the Supply Department shall publish from time to time in the Official Gazette lists of manufacturers in India.

13. *Cutting out of rubber plants.*—No person shall cut out any rubber plant for the purpose of replanting or of planting other crops or for any other reason except under the authority of and in accordance with the conditions contained or incorporated in an order in writing issued by the Committee.

14. *Inspection of estate, etc.*—(1) Every approved estate or dealer shall notify to such officer as may be authorised by the Committee in writing in this behalf all places used by it or him for growing rubber or for storing the same or for preparing the same for sale, and shall give to such officer every facility for inspecting such places.

(2) Any officer authorised by the Committee in writing in this behalf may enter upon and inspect any estate or premises in which he has reason to believe that rubber belonging to an approved estate or dealer is kept for sale or sold.

15. *Revoked permit.*—Where any permit is revoked, the person to whom it was granted shall forthwith return it to the authority which granted it.

16. *Delegation.*—The Committee may delegate to sub-committees or executive officers appointed under clause 4 or such officer as it may authorise in writing in this behalf such powers as seem fit for the proper working of this Order.

<sup>1</sup>Substituted by notification No. 279(1)-Tr.(R)-I. E. R./42.

17. *Appeal to Central Government.*—(1) Any estate or dealer or manufacturer aggrieved by any order, decision or award of the Committee may appeal to the Central Government within thirty days from the date thereof, and the Central Government may on such appeal cancel, modify or suspend any order, decision or award of the Committee.

(2) Any manufacturer aggrieved by any order or decision of the Controller of Rubber Manufactures may appeal to the Central Government within thirty days from the date thereof and the Central Government may on such appeal cancel, modify or suspend any order or decision of the Controller of Rubber Manufactures.

18. [Omitted by notification No. 279(1)-Tr.(R.)-I.E.R./42.]

**FORM A.**

**RUBBER CONTROL ORDER, 1942.**

[Clause 7 (I).]

*Application to purchase or otherwise acquire rubber.*

(To be submitted in duplicate to the Controller of Rubber Manufactures, Directorate-General of Supply, New Delhi.)

**PART I.—Application—**

**No.**

	Grade.	Tons.	Cwts.				Qrts.	Lbs.
1. Name and address of applicant.								
2. Quantity and grade of rubber applied for.								
3. Purpose for which the rubber is wanted. (Give full details of manufactures, and if rubber is required in fulfilment of a Government contract, state the numbers and details of orders.)	Item proposed to manufacture or process.	Number of quantity.	Tonnage Reqd.				State if manufacture is against Government contract or for what purpose.	
			Tons.	Cwts.	Qrts.	Lbs.		
	Grade.	Tons.	Cwts.				Qrts.	Lbs.
4. Stock of rubber held on date of application, or purchased and in transit or awaiting delivery.								

**Dated** .....194.

(Signature of Applicant.)

<sup>1</sup>Forms A, B and BB were substituted by notification No. 279(1)-Tr.(R.)-I. E. R./42.

**PART II.—Order of the Controller of Rubber Manufactures.**

Your application above has been rejected for the reasons noted below:—

(Signature)

*Controller of Rubber Manufactures.*

Dated

OR

A permit will be issued in Form B for the undernoted quantities and grades on receipt by me of a receipted challan for the sum of Rs..... being the permit fee payable calculated at the rate of 2 annas 6 pies per 100 lbs. or part thereof of rubber to be covered by the permit. The fee should be deposited at Government Treasury in British India in favour of the Controller of Supply Accounts, New Delhi, for credit to the account of the Indian Rubber Licensing Committee.

Grade.	Quantity.

(Signature)

*Controller of Rubber Manufacturers.*

Dated

**FORM B.**

Serial No.....

**RUBBER CONTROL ORDER, 1942.**

[Clause 7(2).]

*Permit to purchase or otherwise acquire rubber in the Indian Market (Fee at rate prescribed under clause 8 paid—Receipt No.....).*

.....\*is/are authorised to purchase or otherwise acquire the undernoted rubber from any approved Estate or Dealer.

Description.	Quantity.

2. This permit is granted subject to the provisions of the Rubber Control Order,† 1942, and shall cease to be valid on the expiry of three months from the date of issue.

\*Forms A, B and BB were substituted by notification No. 279(1)-Tr.(R)-I. E. R./42.

\*Strike out the words which are not applicable.

†Relevant extracts are given on the back of this permit.

3. When the purchases authorised by this permit have been completed and the permit has been duly endorsed, it must be sent immediately to the Indian Rubber Control Committee, Malankara Buildings, Kottayam, Travancore.

*Controller of Rubber Manufactures.*

*Dated.....194...*

**ENDORSEMENTS.**

[Clause 7(3).]

Description.	Quantity.	Name and Registered No. of Approved Estate or Dealer.	Signature of Approved Estate or Dealer.
1.		Reg. No.	
2.		Reg. No.	
3.		Reg. No.	
4.		Reg. No.	
5.		Reg. No.	
6.		Reg. No.	

**<sup>1</sup>FORM BB.**

**RUBBER CONTROL ORDER, 1942.**

(Clause 8-A.)

*Application to use stocks of rubber held by manufacturers who produce their own rubber.*

(To be submitted in *duplicate* to the Controller of Rubber Manufactures, Directorate-General of Supply, New Delhi.)

**PART I.—Application.—**

1. Name and address of applicant.....
2. Quantity and grade of rubber to be used.

Grade.	Tons.	Cwts.	Qrts.	Lbs.

<sup>1</sup>Forms A, B and BB were substituted by notification No. 279(1)-Tr.-(R)-I. E. R/42.

3. Purpose for which the rubber is wanted: (Give full details of manufactures and if rubber is required in fulfilment of a Government Contract state the numbers and details of orders.)

Item proposed to manufacture or process.	Number or quantity.	Tonnage Req'd.				State if manufacture is against Govt. contract or for what purpose.
		Tons.	Cwts.	Qrts.	Lbs.	

Dated.....

.....  
(Signature of applicant.)

**PART II.—Recommendation of Controller of Rubber Manufactures—**

Your application above has been rejected for the reasons noted below:—

(Signature).....

(Controller of Rubber Manufactures.)

Dated.....

**OR**

Granted for the following quantities and grades.

Grade.

Quantity.

(Signature).....

(Controller of Rubber Manufactures.)

Dated.....

## FORM C.

## RUBBER CONTROL ORDER, 1942.

(Clause 9.)

*Application from a Manufacturer for permission to manufacture, process or otherwise dispose of stocks of raw rubber held by him or purchased and in transit, or awaiting delivery on the 1st April, 1942, to be submitted in duplicate to the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi.*

## PART I.

— —	Tons.	Cwt.	Qrts.	Lbs.
1. Name and address of the applicant				
2. Total quantity of stocks of raw rubber held on the 1st April 1942—  (a) Stock in hand . . . . . (b) Stock in transit or purchased and awaiting delivery.				
3. Quantity of 2 above—  (a) Proposed to be manufactured or processed. (b) Proposed to be sold or otherwise disposed of. (Give full particulars.)				

— —	Item proposed to manufacture or process.	Number or quantity.	Tonnage required.	State if manufacture is against Government contract.
Purpose for which manufacture, process or other disposal is proposed. (Give full particulars of manufactures proposed, and if in fulfilment of a Government contract, state numbers and details of orders.)			Tons. Cwts. Qrts. Lbs.	

Signature of Applicant.

Dated

## PART II.

Orders of the Controller of Rubber Manufactures.

Signature of the Controller of Rubber Manufactures.

Dated

## FORM D.

RUBBER CONTROL ORDER, 1942.

(Clause 9A.)

*Application from a Manufacturer for permission to manufacture, process, sell or otherwise dispose of stocks of rubber imported after the 1st April 1942, to be submitted (in duplicate) to the Controller of Rubber Manufactures, Directorate-General of Supply, New Delhi.*

PART I.

No.

—	Tons.	Cwts.	Qrts.	Lbs.
1. Name and address of the applicant				
2. (a) Total quantity of stocks of imported rubber acquired since date of last application.				
(b) Stock in transit or imported and awaiting delivery.				
3. Quantity of 2 above—				
(a) Proposed to be manufactured or processed.				
(b) Proposed to be sold or otherwise disposed of.				
(Give full particulars.)				

	Item proposed to manufacture or process.	Number or quantity.	Tonnage required.	State if manufacture is against Government contract.
			Tons. Cwts. Qrts. Lbs.	
4. Purpose for which manufacture or process of quantities shown in 3(a) above is proposed. (Give full particulars of manufactures proposed, and if in fulfilment of a Government contract, state numbers and details of orders.)				

Signature of applicant.

Dated

PART II.

Orders of the Controller of Rubber Manufactures.

Signature of the Controller of Rubber Manufactures.

Dated.....194...

*Notification No. 271(2)-Tr. (I. E. R.)/42, dated the 30th May, 1942 (published in the "Calcutta Gazette" of the 25th June, 1942, Pt. IA, p. 537).*

The following rules made by the Indian Rubber Control Committee in exercise of the powers conferred by sub-clause (2)(a) of clause 5 of the Rubber Control Order, 1942, and with the previous sanction of the Central Government under sub-clause (3) of the said clause, are hereby published for general information:—

1. These rules may be called the Indian Rubber Control Committee Rules.

2. In these rules "Order" means the Rubber Control Order, 1942.

3. Every estate which has a rubber planted area of not less than one hundred acres, administered as one unit, shall be eligible to be registered as an "approved estate".

4. Every dealer of sound financial position and standing, who has dealt in rubber for a period of three years prior to 1st April, 1942, to the extent of an average of not less than one hundred tons of dry rubber per annum, or who has a present stock of 100 tons of dry rubber, or who is capable of dealing in an average of 100 tons of dry rubber per annum, shall be eligible to be registered as an "approved dealer".

5. Any dealer desiring to be registered as an approved dealer and any owner (as defined in the Indian Rubber Control Act, 1934), of an estate desiring to have the estate registered as an approved estate, shall make an application to the Indian Rubber Control Committee in the form prescribed, if any, by the Committee from time to time, and shall also produce before the Committee such evidence of eligibility as is required by the Committee.

6. If the Committee is satisfied that an estate or dealer satisfies the requirements of eligibility, the Committee may sanction the application in respect of such estate or dealer, whereupon the name of such estate or dealer shall be entered in the Register of approved estates or Register of approved dealers, as the case may be, and a certificate thereof granted to the applicant. If the Committee is not so satisfied it may reject the application.

7. The owner of every approved estate and every approved dealer shall at all times keep proper books of accounts and other documents and records showing particulars and details up to date of the quantities with grades of all rubber produced or dealt with and of all transactions entered into or carried out in connection therewith. All such books, documents and records shall be open to the inspection of any officer appointed by the Committee in that behalf.

8. The owner of every approved estate and every approved dealer shall submit to the Committee at the end of each month commencing with April, 1942, a true return of the quantities of all grades of rubber produced or dealt with during the month, and also furnish to the Committee such other returns, statements or documents as may be required by the Committee from time to time.

9. Any breach of contract or failure to meet obligations on the part of any approved estate or approved dealer, or any default or failure on their part to comply with the requirements of the Order or of these rules or of any supplementary Order or Rules which may hereafter be made or of any of the lawful demands made from time to time by the Committee, or any cessation or suspension of production or dealing by any approved estate or approved dealer, or the commission or wilful omission by them of any act or thing which in the opinion of the Committee may tend to be prejudicial or detrimental to the object and purpose of the Order, shall make such estate or dealer liable for suspension or removed by the Committee from the



Register of approved estates or Register of approved dealers, as the case may be, and consequent suspension or cancellation of the relative certificates granted by the Committee.

10. The Committee shall have the discretion at any time to suspend or remove the name of any approved estate or approved dealer from the Register of approved estates or the Register of approved dealers, as the case may be, for any of the foregoing reasons or for any other reason which the Committee may deem sufficient.

*Notification No. SS/109, dated the 21st August, 1944 (published in the "Gazette of India, Extraordinary" of the 22nd August, 1944, p. 1233).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Rubber Manufactures Control Order, 1942, the Central Government is pleased to make the following Order, namely:—

1. (i) This Order may be called the Rubber Manufactures Control Order, 1944.

(ii) It shall come into force on the 1st day of September, 1944.

2. In this Order—

(a) "Controller of Rubber" means the Controller of Rubber in the Directorate-General of Supply, New Delhi,

(b) "rubber" means any of the following materials:—

(i) Crude Rubber, that is to say, rubber prepared from the leaves, bark, or latex of any rubber plant.

(ii) The latex of any plant whether fluid or coagulated in any stage of the treatment to which it is subjected during the process of conversion into rubber.

(iii) Liquid latex in any state of concentration.

(iv) Unvulcanised Rubber Compound.

(v) Reclaimed Rubber.

(vi) Synthetic Rubber.

(vii) Gutta Percha.

(viii) Balata.

(c) "reclaimed rubber" includes rubber reclaimed by any process and also ground, crumb and shredded rubber.

(d) "synthetic rubber" includes synthetic rubber of any of the following classes:—

(i) Bunas, such as Buna S., Perbunan (or Buna N) Hycar (or Ameripol) and Chemigum.

(ii) Butyls, such as Butyl.

(iii) Thiokols, such as Thiokol, Perduren, Neoplas and Vulcplas.

(iv) Chloroprenes, such as Neoprene.

3. No person shall treat, use or consume any rubber except under the authority of and in accordance with a licence granted or a special or general order issued by the Controller of Rubber.

4. Applications for permission to treat, use or consume any rubber shall be made to the Controller of Rubber.

5. The holder of any licence granted under this Order shall comply with any condition contained or incorporated in the licence.

6. The Controller of Rubber, or such other officer as may be appointed in this behalf by the Central Government may, if he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provisions of this Order,—

- (a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand,
- (b) inspect or cause to be inspected any books or documents or manufacturing equipment or machinery or premises belonging to or under the control of any person,
- (c) enter and search or authorise a Police Officer not below the rank of a Sub-Inspector to enter and search any premises.
- <sup>1</sup>(d) cancel any authority given to such person to treat, use or consume rubber under clause 3 of this Order.

7. If any person with intent to evade the provisions of this Order refuses to give any information lawfully demanded from him under clause 6 or conceals, destroys, mutilates or defaces any book or other documents or any manufacturing equipment or machinery, he shall be deemed to have contravened the provisions of this Order.

8. If any person contravenes the provisions of clause 3 any court trying such contravention may in addition to any punishment to which it may sentence him, direct that the article in respect of which the contravention has been committed shall be forfeited to His Majesty.

*Notification No. SS./109, dated the 30th August, 1944 (published in the "Gazette of India, Extraordinary" of the 31st August, 1944, p. 1289).*

In exercise of clause 3 of the Rubber Manufactures Control Order, 1944, I hereby exempt the use of rubber for the re-conditioning and repair of motor transport, air-plane, motor-cycle and cycle tyres and tubes from the provisions of the said clause.

*Notification No. 273(1)-Tr. (I. E. R.)/42(i), dated the 20th February, 1942 (published in the "Calcutta Gazette" of the 12th March, 1942, Pt. I A, p. 257).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

### **Rubber Stocks Control Order, 1942.**

1. *Short title.*—This Order may be called the Rubber Stocks Control Order, 1942.

2. *Definitions.*—In this Order—

- (a) "dealer" means any person who deals in rubber (not being goods manufactured from rubber) or holds stocks thereof;

---

<sup>1</sup>Inserted by notification No. SS/109, dated the 12th January, 1945.

(b) "estate" means an area administered as one unit which contains land planted with rubber plants;

(c) "factory" means any premises for the manufacture of articles containing rubber;

(d) "form" means a form appended to this Order;

(e) "owner" includes any agent of an owner;

(f) "rubber" means—

(i) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber-plant;

(ii) the latex of any rubber plant, whether fluid or coagulated, in any stage of the treatment to which it is subjected during the process of conversion into rubber; and

(iii) latex in any state of concentration.

3. *Submission of returns of stocks.*—Every owner of an estate or factory and every dealer shall submit to the Central Government in the Supply Department or to an authority appointed by the Central Government in this behalf—

(a) within fourteen days from the date of the issue of this Order, a true return in duplicate in Form I in respect of the stocks of all grades of rubber in hand on the said date;

(b) on or before the 15th day of every month commencing with the 15th March, 1942, a true return in duplicate in Form II of the amounts of all grades of rubber acquired and utilised or disposed of by him during the preceding month and in his possession on the last day of the preceding month.

<sup>1</sup>3A. *Submission of returns of rubber manufactures.*—Every owner of a factory shall, on or before the 15th day of every month, submit to the Controller of Rubber Manufactures (Supply Department, Government of India, New Delhi), a true return, in duplicate, in Form III in respect of all articles (including component parts of articles and vulcanised articles) manufactured, whether wholly or partly, of rubber in the factory during the preceding month.

4. *Maintenance of accounts of stocks and provisions for inspection.*—Every owner of an estate or factory and every dealer shall—

(a) maintain proper books, accounts and other records relating to stocks of all grades of rubber, including such information as the Central Government may direct to be compiled;

(b) produce to an officer authorised by the Central Government in writing in this behalf such books, accounts or other records relating to his business as may be demanded by the said officer;

(c) permit any officer authorised by the Central Government in writing in this behalf to enter upon and inspect any premises used for or in connection with his business.

<sup>1</sup>Inserted by notification No. 273(I)-Tr.(R)-I. E. R./42, dated the 12th September, 1942.

**FORM I.**

Serial No.....

**RUBBER STOCKS CONTROL ORDER, 1942.**

[Paragraph 3(a).]

Name of the \*Estate/Factory/Dealer.....

Full address.....

\*I/We declare that the following is a true account in respect of /\*...../

(Name of the Factory  
Estate)

my business.

(for dealer)

\*(1) Area.....acres.

(2) Stocks of all grades of rubber as on.....

(the date on which the notification is issued.

Tons.	Cwts.	Qrs.	Lbs.

Date.....

Signature of the \*owner of the Estate.  
Factory.

Dealer.

**FORM II.**

Serial No.....

**RUBBER STOCKS CONTROL ORDER, 1942.**

[Paragraph 3(b).]

Name of the Estate/Factory/Dealer.....

Full address.....

I/We declare that the following is a true account in respect of/.

(Name of the Estate.  
Factory)my business.  
(for dealer)

I				II			
Stocks of all grades of rubber as shown in the last return.				Stocks acquired during*			
Tons.	Cwts.	Qrs.	Lbs.	Tons.	Cwts.	Qrs.	Lbs.

III				IV			
Stocks utilized or disposed of during*				Balance of stocks at the end of*			
Tons.	Cwts.		Lbs.	Tons.	Cwts.	Qrs.	Lbs.

Date.

Signature of the owner of the Estate.  
Factory.Dealer.

\*Name of the month to which the report relates.

**<sup>1</sup>FORM III.**

Serial No.

**RUBBER STOCKS CONTROL ORDER, 1942.**

(Paragraph 3-A.)

Name of the Factory.....

Full address.....

I/We declare that the following is a true account in respect of my/our  
 rubber manufactures for the month of.....194...:—

List of items manufactured.	Number of quantity of each item.	Quantity of rubber utilised for each item.			
		Tons.	Cwts.	Qrs.	Lbs.

Station.

Date.... .194.

*Signature of the owner.*<sup>1</sup>Added by notification No. 273(1)-Tr.(R)-I. E. R./42, dated the 12th September, 1942.

**(XIV) MISCELLANEOUS.**

*Notification No. 91-M(9)/45, dated the 24th February, 1945 (published in the "Gazette of India" of the 24th February, 1945, Pt. I, p. 235).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Aluminium Utensils (Control) Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force on the 1st March, 1945.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "dealer" means any person carrying on the business of selling aluminium utensils whether wholesale or retail, and whether or not in conjunction with any other business;

(b) "manufacturer" means any person carrying on the business of manufacturing aluminium utensils;

(c) "Schedule" means a Schedule appended to this Order.

<sup>1</sup>[3. (i) Every manufacturer shall stamp on all aluminium utensils sold, despatched or delivered by him on or after the 1st March, 1945, his brand and maximum retail price per lb. of the utensils as given in Schedule I, or if the utensil is not covered by that schedule, the ceiling price fixed under sub-clause (1) of clause 5 of the said Order.

(ii) No manufacturer shall sell any aluminium utensils otherwise than on a "f.o.r. destination" basis or at a "f.o.r. destination" price which exceeds 90 per cent. of the maximum retail price of the utensils as determined by the provisions of the said Order.]

4. Every manufacturer to whom aluminium is released under an approved scheme of the Central Government—

(i) shall manufacture therefrom only utensils of the description specified in Schedule I;

(ii) shall submit to the Secretary to the Government of India in the Department of Industries and Civil Supplies a true monthly return in the form shown in Schedule II so as to reach him not later than the 10th of each month;

(iii) shall comply with the directions of the Central Government or of an officer authorised by the Central Government as to the distribution of such utensils among dealers.

---

<sup>1</sup>Substituted by notification No. 91-M(9)/45, dated the 15th August, 1945.

5. (1) No dealer shall sell any aluminium utensil at a price higher than the maximum retail price as determined by the provisions of Schedule I, or if the utensil is not covered by that Schedule, at a price higher than <sup>1</sup>[Rs. 2-8-0] per lb.

(2) No dealer shall sell any aluminium utensil on which the maximum retail price permissible under sub-clause (1) and the brand of the manufacturer have not been stamped.

<sup>2</sup>*Note.*—Dealers whose place of business is situated in the undermentioned hill stations where extra transport costs have to be incurred in the transport from the nearest rail head to the place where the dealers' shops are situated, may charge the actual transport charges between the rail head and the destination (to be determined and fixed by the District Magistrate of the district concerned) or 5 per cent. of the maximum retail prices specified in clause 5, whichever is less, provided that the extra charge is separately noted in the cash memo. given to the purchaser. Provided further that the extra charge shall not be admissible in the case of dealers whose shops are located within a distance of less than 10 miles from the nearest rail head.

*Assam.*

Garo Hills.  
Lushai Hills.  
Naga Hills.

*Baluchistan.*

Barkhan.  
Dudi.  
Loralai.  
Sinjawi.  
Zairat.

*N. W. F. P.*

Malakandi.  
Nathiagali.  
Parachinar.  
Kasmak.  
Wana.

*Punjab.*

Dalhousie.  
Kasauli.  
Murree.  
Simla.  
(District).

*Bengal.*

Kalimpong.

*Bombay.*

Mahabaleshwar.  
Panchgani.

*Madras*

Nilgiris.  
Yercaud.

*United Provinces.*

Almora.  
Bhowali.  
Charata.  
Garhwal.  
Landsdowne.  
Mussoorie.  
Nainital.  
Pauri.  
Ranikhet.

<sup>1</sup>Substituted by notification No. 91-M(50)/45, dated the 1st January, 1946.

<sup>2</sup>Inserted by notification No. 91-M(9)/45, dated the 15th September, 1945.



6.. Every dealer shall prominently display in his shop a true copy of Schedule I, keep it amended up to date and allow it to be examined by any customer who wishes to refer to it.

7. Any officer authorised by the Central Government in this behalf may, with a view to securing compliance with this Order,—

- (a) require any manufacturer or dealer to give any information in his possession with respect to his business;
- (b) inspect or cause to be inspected any books or other documents belonging to or under the control of any manufacturer or dealer;
- (c) enter and search, or authorise any person to enter and search, any premises, and seize, or authorise any person to seize, any articles in respect of which he has reason to believe that a contravention on this Order has been or is likely to be committed.

8. The Central Government may by general or special order exempt any person or class of persons from all or any of the provisions of this Order.

9. Any Court trying a contravention of this Order may without prejudice to any sentence which it may pass, direct that any utensils in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

#### **Schedule I.**

[See Clauses 4(i), 5 and 6.]

[Not printed here.]

#### **Schedule II.**

[See Clause 4 (ii).]

Return for the month of.....194...

Name of the manufacturer.....

Full address.....

I/We declare that the following is a true statement of the quantity of aluminium held, acquired and used by me/us during the month of.....  
.....194...

---

Particulars.	Quantity of aluminium. Tons.
1. Stock in hand at the end of the preceding month.	
2. Quantity acquired during the month.	
3. Total of items 1 and 2	
4. Disposal during the month—	
(1) Sales of utensils during the month.	
(2) Loss of per cent. on metal used to produce the article sold.	

Particulars.	Quantity of aluminium. Tons.
5. Quantity in stock at the end of the month • (quantity against item 3 less quantity against item 4).	
6. Summary.—	
(a) Total quantity allotted up to and inclusive of the month ;	
(b) Total quantity acquired up to and inclusive of the month ;	
(c) Total quantity consumed up to and inclusive of the month.]	

Dated.....194...

*Signature of the Manufacturer.*

*Notification No.91-M (9)/45, dated the 9th June, 1945 (published in the "Gazette of India" of the 9th June, 1945, Pt. I., p. 713).*

In pursuance of clause 7 of the Aluminium Utensils (Control) Order, 1945, the Central Government is pleased to authorise the following officials for the purpose of the said clause:—

The Controller General of Civil Supplies.

The Additional Controller General of Civil Supplies.

All Deputy Controllers General of Civil Supplies.

All Assistant Controllers General of Civil Supplies.

All Inspectors of Civil Supplies.

The Director of Food Supplies in Baluchistan.

Controller, Miscellaneous Civil Supplies Bihar.

Assistant Controller, Miscellaneous Civil Supplies, Bihar.

Controller of Supply and Transport, Deputy Controller of Supply and Transport, and Assistant Controllers of Supply and Transport, Orissa.

Supervisors of Supplies, Headquarters, Orissa.

District Magistrates, Civil Supplies Officers, Subdivisional Magistrates, Assistant Civil Supplies Officers, and District Supervisors of Supplies, Orissa.

The Assistant Director of Civil Supplies (General), Delhi.

The Officer-in-Charge, Investigation Bureau, Delhi.

The Deputy Superintendent of Police (E), N.-W. F. P. (Peshawar).

The Deputy Commissioners in the six districts of Peshawar, Kohat, Mardan, Bannu, D. I. Khan and Hazara District.

The Assistant Commissioner of Coorg.

The Commissioner of Civil Supplies, Deputy Commissioner of Civil Supplies, Collectors, Commercial Tax Officers, Deputy Commercial Tax Officers and Assistant Commercial Tax Officers, Madras.

<sup>1</sup>Inserted by notification No. 91-M(9)/45, dated the 15th August, 1945.

The Additional Director of Civil Supplies (Enforcement), Bombay.  
 The District Magistrates, Bombay.  
 The District Magistrates and the District Supply Officers, United Provinces.  
 The Commissioner of Excise, Assam.  
 The Director and Additional Director of Civil Supplies, Sind.  
 The Enforcement Officer, Sind.  
 The Collectors, District Magistrates, Additional District Magistrates, and Subdivisional Magistrates, Sind.  
 The Mukhtiarkar, Sind.  
 The Chief Price Inspector, and Price Inspectors, Sind.  
 Inspectors of Police under the Enforcement Officer, Sind.

*Notification No. 90-M(166)/45, dated the 6th October, 1945 (published in the "Gazette of India, Extraordinary" of the 6th October, 1945, p. 815.)*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the Brass Utensils (Control) Order, 1944, the Central Government is pleased to make the following Order and to direct with reference to sub-rule (1) of rule 119 of the said rules, that notice of this Order shall be given by publication of the same in the official Gazettes of the Government of India and of the Provincial Governments and a summary of its provisions given in the form of a press-note.

1. (1) This Order may be called the Brass and Copper (Control) Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(a) "dealer" means any person carrying on the business of selling brass and copper in sheets, scrap or semi-manufactured form or utensils whether wholesale or retail, and whether or not in conjunction with any other business;

(b) "manufacturer" means any person carrying on the business of manufacturing brass and copper utensils or any other article made of brass or copper;

(c) "Schedule" means a Schedule appended to this Order.

3. No dealer shall sell brass and copper scrap ingots and sheets at prices exceeding those specified below:—

(a) Brass sheets—Rs. 102 per cwt.

(b) Brass ingots—Rs. 70 per cwt.

(c) Brass scrap (heavy)—Rs. 63 per cwt.

(d) Brass scrap (light)—Rs. 56 per cwt.

(e) Copper sheets—Rs. 107 per cwt.

(f) Copper ingot—Rs. 75 per cwt.

(g) Copper scrap (heavy)—Rs. 67½ per cwt.

(h) Copper scrap (light)—Rs. 60 per cwt.

(i) Imported cold rolled brass sheets—Landed cost plus 5 per cent.

4. (a) No dealer shall sell hand-made brass or copper utensils at a price higher than that shown in Schedule II for the various categories.

<sup>1</sup>Substituted by notification No. 90-M(166)/45, dated the 2nd January, 1946.

(b) No dealer shall sell any hand-made brass or copper utensils [on which the price as determined in accordance with Schedule II is not stamped, or if the nature of the utensil does not permit of stamping, marked in ink]:

Provided that in the case of brass and copper utensils which are tinned one anna per lb. shall be charged and in the case of copper utensils, which are tinned on both sides according to usual practice two annas per lb. shall be charged in addition.

And provided that the ceiling prices referred to above shall not be applicable to brass and copper utensils with art work and E.P.N.S. which involve extra cost to the manufacturers.

(c) No dealer shall sell any machine-made brass or copper utensils at a price higher than the maximum retail price of utensils as determined by the provisions of Schedule I.

(d) Every dealer shall supply a memo. for any sale in excess of Rs. 10 and for sale below Rs. 10 if demanded by the purchaser.

(e) Any hand-made brass utensil manufactured at Moradabad with Moradabad *kalai* both inside and outside can be charged at Re. 0-7-0 per lb. above the rates permitted by this Order.

5. Every dealer shall prominently display in his shop a printed copy of the Schedule, and shall whenever required by a customer allow him to examine it.

6. No machine-made utensil of which the price as determined above is not stamped with the price and the brand of the manufacturer shall be sold.

7. Dealers in brass and copper utensils both hand-made and machine-made whose place of business is situated in the undermentioned hill stations where extra transport costs have to be incurred in the transport from the nearest rail head to the place where the dealers' shops are situated, may charge the actual transport charges between the rail head and the destination (to be determined and fixed by the District Magistrate of the district concerned) or 5 per cent. of the maximum retail prices specified in Schedules I and II, whichever is less, provided that the extra charge is separately noted in the cash memo. given to the purchaser, provided further that the extra charge shall not be admissible in the case of dealers whose shops are located within a distance of less than 10 miles from the nearest rail head.

*Assam.*

Garo Hill.  
Lushai Hills.  
Naga Hills.

*Baluchistan.*

Barkhan.  
Dudi.  
Loralai.  
Sinjawi.  
Zairat.

*Bengal.*  
Kalimpong.

*Bombay.*  
Mahabaleshwar.  
Panchgani.

*Madras.*  
Nilgiris.  
Yercaud.

*N. W. F. P.*

Malakand.  
Nathiyali.  
Parachinar.  
Razmak.  
Wana.  
*Punjab.*  
Dalhousie  
Kasauli.  
Murree.  
Simla (District).  
*U. P.*  
Almora.  
Bhowali.  
Chakrata.  
Garhwal.  
Landsdowne.  
Mussoorie.  
Nainital.  
Pauri.  
Ranikhet.

<sup>1</sup>Substituted by notification No. 90-M(166)/45, dated the 21st November, 1945.

8. No manufacturer to whom brass or copper sheets are released by the Central Government—

- (i) shall manufacture from such sheets any articles other than utensils of the description specified in Schedules I and II.
- (ii) shall manufacture from such sheets any utensils specified in Schedule I which are not of 21 oz. gauge.

9. Every manufacturer of machine-made utensils to whom brass or copper sheets are released by the Central Government—

- (i) shall submit to the Secretary to the Government of India in the Department of Industries and Civil Supplies a true monthly return in the form shown in Schedule III so as to reach him not later than the 10th of each month;
- (ii) shall comply with the directions of the Central Government or of any officer authorised by the Central Government in this behalf—
  - (a) as to any markings to be made on the utensils, manufactured from such sheets; and
  - (b) as to the distribution of such utensils among dealers.

10. No manufacturer shall sell brass or copper semi-manufactures or any other articles of brass or copper not specified in this Order or in the Schedules appended thereto at a price exceeding the price of brass or copper scrap, ingots or sheets as given in clause 3 plus a reasonable cost of manufacture plus a profit margin not exceeding 10 per cent.

11. No manufacturer of hand-made or machine-made brass utensils shall sell any utensils to the dealer otherwise than on a "f.o.r. destination" basis or at a "f.o.r. destination" price which exceeds 90 per cent. of the maximum retail price of the utensils as determined by the provisions of Schedules I and II.

12. If there is any doubt as regards the category to which a particular utensil belongs, the question shall be decided by an officer specially empowered by the Provincial Government whose decision shall be final.

13. Any officer authorised by the Central Government in this behalf may, with a view to securing compliance with this Order,—

- (a) require any manufacturer or dealer to give any information in his possession with respect to his business;
- (b) inspect or cause to be inspected any books or other documents belonging to or under the control of any manufacturer or dealer;
- (c) enter and search, or authorise any person to enter and search any premises, and seize or authorise any person to seize, any articles in respect of which he has reason to believe that a contravention of this Order has been or is likely to be committed.

14. The Central Government may by general or special order exempt any person or class of persons from all or any of the provisions of this Order.

15. Any Court trying a contravention of this Order may without prejudice to any sentence which it may pass, direct that any brass or copper sheets or utensils in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

*Notification No. 90(54)-C44, dated the 27th January, 1945 (published in the "Gazette of India" of the 27th January, 1945, Pt. I, p. 169).*

In pursuance of clause 9 of the Brass Utensils (Control) Order, 1944, and in supersession of the Notification of the Government of India in the Department of Industries and Civil Supplies, No. 90(53)-C/44, dated the 25th November, 1944, the Central Government is pleased to authorise the following officers for the purpose of the said clause:—

The Controller General of Civil Supplies.

The Additional Controller General of Civil Supplies.

All Deputy Controllers General of Civil Supplies.

All Assistant Controllers General of Civil Supplies.

All Inspectors of Civil Supplies.

The Director of Civil Supplies, Ajmer-Marwara.

The Director of Food Supplies, Baluchistan.

The Assistant Director of Civil Supplies (General), Delhi.

The Officer-in-Charge, Investigation Bureau, Delhi.

Deputy Superintendent of Police (Enforcement), North-West Frontier Province, Peshawar.

Deputy Commissioners at Peshawar, Kohat, Mardan, Bannu, D. I. Khan and Hazara.

The Director and Additional Director of Civil Supplies, Sind.

The Enforcement Officer, Sind.

The Collectors and District Magistrates, Sind.

The Mukthiarkars, Sind.

The Commissioner of Civil Supplies and Deputy Commissioners of Civil Supplies, Madras.

Collectors, Commercial Tax Officers, Deputy Commercial Tax Officers, and Assistant Commercial Tax Officers, Madras.

The Controller of Supplies, Deputy Controller of Supplies and Assistant Controller of Supplies, Orissa.

Special Officer, Supply and Transport Department, Supervisor of Supplies Headquarters Orissa.

District Magistrates, Civil Supplies Officers, Subdivisional Magistrates, Assistant Civil Supplies Officers, Supervisor of Supplies, Orissa.

The Additional Director of Civil Supplies (Enforcement), Bombay.

The District Magistrates (including the Additional District Magistrate, Godhra), Bombay.

*Notification No. 90-M(54)/44, dated the 24th March, 1945 (published in the "Gazette of India" of the 24th March, 1945, Pt. I, p. 349).*

In pursuance of clause 9 of the Brass Utensils (Control) Order, 1944, the Central Government is pleased to authorise the following officers for the purpose of the said clause in addition to those authorised in the notification of the Government of India in the Department of Industries and Civil Supplies, No. 90(54)-C/44, dated the 27th January, 1945:—

The Assistant Commissioner, Coorg.

The Commissioner of Excise, Assam.

Superintendents of Excise, Assam.

Inspectors of Excise, Assam.

*Notification No. 90-M(54)/45, dated the 9th June, 1945 (published in the "Gazette of India" of the 9th June, 1945, Pt. I, p. 713).*

In pursuance of clause 9 of the Brass Utensils (Control) Order, 1944, the Central Government is pleased to authorise the following officers for the purpose of the said clause, in addition to those authorised in the Notifications of the Government of India in the Department of Industries and Civil Supplies, No. 90-(54)-C/44, dated the 27th January, 1945, and No. 90-M(54)/44, dated the 24th March, 1945, namely:

In the Punjab:—

Director of Civil Supplies, all District Magistrates, and all Additional District Magistrates, all Civil Supplies Officers, Assistant Civil Supplies Officers and Inspectors of Civil Supplies, Punjab.

In Bengal:—

The Commissioner of Police, Calcutta and all District Magistrates.

All Officers of and above the rank of an Inspector of Police of the Enforcement Branch under the administrative control of the Commissioner of Police, Calcutta, or of the Inspector General of Police, Bengal.

*Notification No. 90(25)-C/44, dated the 5th August, 1944 (published in the "Gazette of India" of the 5th August, 1944, Pt. I, p. 1025).*

In pursuance of clause 10 of the Brass Utensils (Control) Order, 1944, the Central Government is pleased to authorise the following officers in the Industries and Civil Supplies Department for the purpose of the said clause:—

The Controller General of Civil Supplies.

The Additional Controller General of Civil Supplies.

All Deputy Controllers General of Civil Supplies.

All Assistant Controllers General of Civil Supplies.

All Inspectors of Civil Supplies.

*Notification No. 90-M(166)/45, dated the 20th October, 1945 (published in the "Gazette of India, Extraordinary", of the 22nd October, 1945, p. 833).*

In exercise of the powers conferred by clause 14 of the Brass and Copper (Control) Order, 1945, the Central Government is pleased to exempt the dealers in hand-made brass and copper utensils from the provisions of clause 4(a) and (b) of the said Order, with effect from the date of the issue of the Order up to the 18th November, 1945.

*Notification No. 135-M.I.W.(48)/40, dated the 23rd November, 1940 (published in the "Calcutta Gazette" of the 5th December, 1940, Pt. 1A, p. 553).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. This Order may be called the Cargoes and Claims (Information) Order, 1940.

2. In this Order,—

(a) The expression "enemy" has the same meaning as in Part XV of the Defence of India Rules;

(b) The expression "ship to which this order relates" means a ship owned or controlled by any person who is an enemy.

3. Any person who at the date of this Order carries on any undertaking by way of any trade or business and—

(a) owns or has any legal or beneficial interest in any cargo lying in a ship to which this Order relates (other than a ship owned or controlled by a person who was an enemy prior to the 9th day of April, 1940), or in any cargo which having been landed from such a ship, is in the possession or control of the owner, charterer or master of any such ship; or

(b) has or claims to have any cause of action whether in respect of any such cargo or otherwise against any such ship or against the owner, charterer or master thereof,

shall within one month of that date send to the Secretary to the Government of India, Department of Commerce, New Delhi, three signed copies of a return in writing, specifying so far as is practicable the following particulars as at that date, that is to say—

(i) the nature, quantity and value of any such cargo, stating where, and in what ship it is lying or, if not on board ship, where, and in whose possession or control it is;

(ii) the nature of any document in his possession or control evidencing his ownership of or interest in any such cargo;

(iii) the date and amount of any payments made by him in respect of freight charges on any such cargo, stating to whom such payments were made;

(iv) the port of loading and the port of destination of any such cargo; and

(v) the nature and extent of the cause of action that is claimed to exist in respect of any such cargo or otherwise against any ship to which this Order relates, or against the owner, charterer or master thereof.

*Notification No. 160-M.I.W.(3)/40, dated the 19th September, 1940 (published in the "Calcutta Gazette" of the 10th October, 1940, Pt. I A, p. 454).*

Whereas it appears to the Central Government to be necessary so to do for securing the efficient prosecution of the war, and for maintaining supplies and services essential to the life of the community;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct—

(a) that freights or fares for the carriage of cargoes or passengers in any vessel registered in British India under the Merchant Shipping Act, 1894, shall not be charged at rates higher than those which were being charged for the carriage of cargoes or passengers in or on any such vessel, or vessels of a similar class, engaged in voyages of a like nature, on the 1st June, 1940;

(b) that no vessel registered in British India under the Merchant Shipping Act, 1894, shall be hired for any purpose at rates higher than those which may from time to time be fixed by the Central Government.



*Notification No. SS/278, dated the 8th January, 1945 (published in the "Gazette of India" of the 13th January, 1945, Pt. I, p. 50).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Coal Tar Products Control Order, 1945.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. *Definitions.*—In this Order,—

<sup>1</sup>(a) "coal tar products" includes all grades of creosote, naphthalene, phenol other than for medicinal purposes, creosols, paints made with pitch and/or any coal tar fraction, coal tar solvent naphtha, and any other product that may be notified by the Central Government from time to time;

(b) "licensing authority" means the Controller of Supplies, Bengal Circle, and includes any other officer appointed by the Central Government to perform all or any of the functions of the licensing authority under this Order;

(c) "Form" means a Form appended to this Order.

3. *Registration of sellers.*—(1) Every person who wishes to sell\* or otherwise dispose of any coal tar products specified under this Order shall apply in Form A, in duplicate to the licensing authority for being registered as a seller.

(2) If the licensing authority accepts the application he shall issue a registration certificate in Form B.

(3) The licensing authority may at any time by order in writing rescind a registration certificate without notice to the holder thereof.

4. *Prohibition of sale except by registered person.*—(1) No person shall sell, agree to sell or otherwise dispose of any coal tar products specified under this Order unless he is registered as a seller under clause 3.

(2) No person registered as aforesaid shall sell, agree to sell or otherwise dispose of any coal tar products specified under this Order except against a licence in Form D, issued by the licensing authority under clause 6.

5. *Prohibition of use, purchase and acquisition except under valid licences.*—No person shall use, purchase, or otherwise acquire, coal tar products specified under this Order for any purpose except under a licence issued by the licensing authority in Form D:

Provided that no licence shall be necessary for the acquisition of stocks directly by process of manufacture or by import from outside India.

6. *Application for permission to purchase, acquire or use coal tar products.*—(1) Every person who wishes to purchase or otherwise acquire; or use, any coal tar products specified under this order shall apply in Form C, in duplicate to the licensing authority.

(2) If the licensing authority accepts the application it shall issue a licence in Form D, stating the quantity and type of coal tar products specified under this order which may be purchased or otherwise acquired or used under the licence.

<sup>1</sup>Substituted by notification No. SS/278, dated the 20th June, 1945.

7. *Submission of return of stock and maintenance of account.*—Every person who carries on any kind of business in, or is a consumer of, coal tar products specified under this Order shall—

- (a) submit monthly to the licensing authority so as to reach that officer on or before the seventh day of each month beginning with February, 1945, a true return in Form E, of the stock of coal tar products specified under this Order in his possession at the end of the last day of the preceding month;
- (b) keep such books, accounts and records relating to his business as the Central Government or any officer authorised by it in this behalf may direct.

8. *Supply of information, inspection, search, etc.*—The Central Government or any officer authorised by it in this behalf may, with a view to securing compliance with this Order,—

- (a) require any person to give such information in his possession with respect to any business in coal tar products carried on by that or any other person as the Central Government or the authorised officer may demand;
- (b) inspect, or cause to be inspected, any books or documents belonging to, or under the control of, any such person; and
- (c) enter and search, or authorise a police officer not below the rank of sub-inspector to enter and search, any premises which in the opinion of the Central Government or the authorised officer is being used for such business.

9. *Effect of non-supply of information.*—No person shall, with intent to evade the provision of this Order, refuse to give any information lawfully demanded from him under clause 8 or cancel, destroy, mutilate or deface any books or other documents.

10. *Forfeiture of stores.*—If any person contravenes any of the provisions of clauses 4 and 5, any court trying such contravention may, without prejudice to any other sentence which it may pass direct that any coal tar products in respect of which the court is satisfied that any of the said provisions has been contravened shall be forfeited to His Majesty.

#### FORM A.

[See clause 3(I).]

#### *Application for registration.*

(To be submitted in duplicate to the Licensing Authority.)

No.

Date

1. Name and address of applicant .
2. Whether (a) manufacturer or
- (b) Importer .
3. Supplies made during Calendar year 1944 (details overleaf) .
4. Present stocks
5. If manufacturer or importer, state the estimated quantity of Coaltar Products which applicant expects to manufacture/import during the period 1st January, 1945, to 30th June, 1945

6. Estimated quantity of Coaltar Products which applicant would require for own consumption during the period 1st January, 1945, to 30th June, 1945

7. Estimated quantity of Coaltar Products the applicant expects to make available for sale during the period 1st January, 1945, to 30th June, 1945

I hereby certify that the contents of this application are true to the best of my knowledge and belief.

*Signature of applicant.*

*Note.*—If the applicant is not a manufacturer or importer items Nos. 2 and 5 will not be filled in.

Name and address of consumer(s) to whom applicant supplied Coaltar Products during the Calendar year 1944. Quantity and grade separately.

Name.	Address.	Grade.	Quantity.
			Tons. Cwts. Lbs.

### FORM B.

[See clause 3(2).]

#### *Registration Certificate.*

Date \_\_\_\_\_ Serial No. \_\_\_\_\_  
 Reference his/their application No. \_\_\_\_\_  
 dated \_\_\_\_\_, Mr./Messrs. (Name and address) \_\_\_\_\_  
 is/are hereby registered as a person authorised to sell or otherwise dispose  
 of Coaltar Products under the Coaltar Products Control Order, 1945.

*Signature of Licensing Authority.*

*Note.*—This certificate may be rescinded at any time without notice by an order in writing of the Licensing Authority.

### FORM C.

[See clause 6(1).]

Application for permission to purchase or otherwise acquire or use Coaltar Products. (To be submitted in duplicate to the Licensing Authority.)

1. Date
2. Name of applicant
3. Address of applicant

Type & Grade.	Tons.	Quantity.		
		Cwts.	Qrs.	Lbs.
4. Quantity of Coaltar Products required				
5. Coaltar held by the applicant on the date of application				
6. Name of person or firm from whom purchase will be made				

7. Precise purpose for which quantity in item 4 above is required.

(Give full details stating whether to be used for a purpose connected with a Government contract.)

8. Average monthly consumption for the said purpose during the 12 months previous to the date of application.

9. Period for which the quantity applied for is estimated to last

I certify that the contents of this application are true to the best of my knowledge and belief.

*Signature of applicant.*

*Note.*—Column 6 will be left blank if the applicant has stock and applies for its use only.

### FORM D.

[See clause 6(2).]

Licence No.

This licence shall be valid for the period commencing from  
, and ending

I hereby sanction the purchase and use of (quantity of) Coal-tar  
Products

From

(Name of seller) by

(Name of applicant).

*Licensing Authority.*

*Note.*—The name of seller will be left blank where the licence is for own use.

### FORM E.

[See clause 7(a).]

Return of stock of for the month of 194 .

Name .

Address .

Registration certificate No. (*vide* Form B) .

Stock. Grade. Quantity.

Tons. Cwts. Qrs. Lbs.

Remarks.

1. Stock held at the end of the preceding month as shown in the last return

2. Stock, if any, acquired during the month by import, purchase, manufacture or otherwise

3. Total of items 1 and 2 .

4. Stock, if any, sold during the month against licences in Form D

5. Stock, if any, consumed by the person making the return against licences in Form D

6. Stock, if any, otherwise disposed of during the month. Details of such disposal should be furnished

7. Total of items 4, 5 and 6 .

8. Stock, held at the end of the month (being item 3 less item 7)

I hereby certify that the particulars given above are true to the best of my knowledge and belief.

*Signature.*

*Date*

*Note.*—This stock return should reach the Licensing Authority not later than the 7th day of each month.

*Notification No. 1351, dated the 4th December, 1943 (published in the "Gazette of India" of the 11th December, 1943, Pt. I, p. 1327).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

### **The Control of Imported Engineer Stores Order, 1943.**

1. (1) This Order may be called the Control of Imported Engineer Stores Order, 1943.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order unless there is anything repugnant in the subject or context,—

(a) "Controller" means the Director-General of Munitions Production, and includes any officer authorized by him to perform all or any of the functions of the Controller under this Order;

(b) "Engineer Stores" means stores of the categories specified in the Schedule annexed to this Order.

3. (1) No owner <sup>1</sup>[whether himself the importer or not] or consignee of any engineer stores landed at, or in transit to, any place in British India by sea, land or air from outside the limits of India, shall sell, transfer or otherwise dispose of, or use such consignment or any part thereof except under a general or special licence granted by the Controller:

<sup>2</sup>[Provided however that nothing in this sub-clause shall be deemed to prevent any person, being the owner or manager of a factory, from using for purposes of the production on which his factory is engaged any imported engineer stores—

(a) which were in his possession prior to the commencement of this Order or which have been imported by him since the commencement of this Order;

(b) acquired by him from an importer or stock-holder against a licence issued to the importer or stock-holder under this Order.]

(2) Any sale, transfer or disposal made in contravention of sub-clause (1) shall be void.

4. The Controller may at any time cancel or otherwise modify any general or special licence granted under clause 3 and may by notification in the Official Gazette exempt any engineer stores from the operation of any clause or clauses of this Order.

<sup>1</sup>Inserted by notification No. 183, dated the 17th January, 1945.

<sup>2</sup>Inserted by notification No. 418, dated the 13th April, 1944.

• 5. Every person who imports or causes to be imported into British India either by sea, land or air any engineer stores from outside the limits of India shall—

- (a) submit to the Controller so as to reach him within 20 days from the date of issue of this Order a statement declaring the total stock of each item of engineer stores held by him or by his representatives or agents on his behalf, the particulars of which have not already been submitted to the Director-General of Munitions Production;
- (b) intimate to the Controller the arrival of any engineer stores imported by him or on his behalf from outside the limits of India within 15 days of the arrival of the stores in India, or such further time as the Controller may allow;
- (c) keep and maintain such books, accounts and other records relating to the handling and sale of engineer stores as the Controller may from time to time direct;
- (d) produce for examination to the Controller the documents referred to in sub-clause (c).

16. Any court trying a contravention of this Order may without prejudice to any other sentence which it may pass direct that any engineer stores in respect of which the court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

### **The Schedule.**

[Not printed here.]

*Notification No. 748, dated the 8th May, 1945 (published in the "Gazette of India" of the 12th May, 1945, Pt. I, p. 572).*

### **Control of Imported Engineer Stores Order, 1943.**

In exercise of the powers conferred by clause 4 of the Control of Imported Engineer Stores Order, 1943, the Controller hereby exempts the under-mentioned engineer stores from the operation of clauses 3 and 5 of the said Order:—

(i) A. C. motors up to and including 25 H.P.—falling under entry No. (1) of the Schedule to the Order.

(ii) The following classes of electric cables, insulated wires, flexible cords and winding wires, falling under entry No. (2) of the Schedule to the Order:—

(a) Rubber insulated electric cables for lighting and power purposes of voltage grade not exceeding 250 volts and having no conductor of larger cross-sectional area than 0.06 sq. in. (19/1064") of the following types and finishes:—

- (1) Single core, taped, braided and compounded.
- (2) Single core, lead or alloy sheathed.
- (3) Flat twin core lead or alloy sheathed.
- (4) Flat twin core lead or alloy sheathed with earth continuity conductor.
- (5) Flat three core, lead or alloy sheathed.

(b) Flexible cords for lighting or power purposes, of voltage grade not exceeding 250 volts and having conductors not exceeding 0.0017 sq. in. in cross sectional area (40/0076" or 16/012") of the following types:—

(1) Two core, twisted or circular silk, art silk, or glass cotton braided or compounded "workshop" type.

(2) Three core, twisted or circular, silk, art silk or glass cotton braided or compounded "workshop" type.

(c) Winding wires of the following types:—

(1) S.C.C. Single cotton covered, plain annealed copper wire.

(2) D.C.C. Double cotton covered, plain annealed copper wire.

(iii) Crucibles of size No. 20 and under specified in entry No. 8(a) in the Schedule to the said Order.

(iv) Grinding wheels specified in entry No. 12 in the Schedule to the said Order.

(v) Saw files specified in entry No. 14(c) (7) in the Schedule to the said Order and as defined in the notification of the Government of India in the Supply Department No. 1186, dated the 28th August, 1944.

(vi) Metal working tools of the following types specified in entry No. (5), (a), (b), (c), (d), (m) and (n), respectively, in the Schedule to the said Order, namely:—

(1) High Speed Steel Hacksaw Blades.

(2) Other Steel Hacksaw Blades.

(3) High Speed Steel Twist Drills

(4) Carbon Steel Twist Drills

} up to and including 63/64".

(5) Machine Chasers.

(6) Machine Dies.

(vii) Hand tools of the following types specified in entry No. (11), (a), (b), (c), (d) and (e), respectively, in the Schedule to the said Order, namely:—

(1) Blades, Hacksaw.

(2) Cutters, glass.

(3) Dressers, Emery Wheel.

(4) Expanders, tube.

(5) Engineer's files excluding saw files.

(viii) Workshop measuring tools of the following types specified in entry No. 15(b), (vi) and (vii), respectively, in the Schedule to the said Order, namely:—

(1) Rules, Boxwood.

(2) Measuring tapes—Steel or fabric.

(ix) Refrigerators imported from the United Kingdom only specified in entry No. 17 in the Schedule to the said Order.

*Notification No. W16(22)/40-I., dated the 10th September, 1941 (published in the "Calcutta Gazette" of the 27th August, 1942, Pt. IA, p. 757).*

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order:—

1. (1) This order may be called the Electrical Apparatus (Dealings) Order, 1941.

(2) It shall come into force on 1st November, 1941.

2. Except under the authority of a permit granted by the Director-General of Posts and Telegraphs in this behalf, no person shall sell, purchase, let, hire, supply, dispose of, acquire or distribute any of the following articles, namely:—

- (a) articles intended for use as parts of wireless transmitters, namely, high frequency inductors, variable capacitors (condensers), spark coils, quenched and rotary spark gaps;
- (b) any wireless receiving apparatus which is designed to be used also as a wireless transmitter or which can be adapted for such use by the operation of a switch or by the changing of screwed or plug connections;
- (c) high frequency equipment (being equipment which generates or uses high frequency current at frequencies greater than 10,000 cycles per second and having a maximum output exceeding 10 watts), including such equipment intended for use in connection with furnaces and medical apparatus;
- (d) electronic valves capable of an anode dissipation exceeding 20 watts, either as independent item or as component parts of any apparatus;
- (e) line carrier, telegraph equipment or line carrier telephone equipment;
- (f) piezo electric quartz plates or piezo electric tourmaline plates cut to oscillate to any specified frequency.

3. Application for permits under paragraph 2 shall be made to the Electrical Engineer-in-Chief, Telegraph Store Yard, Alipore, Calcutta, through the District Magistrate or Commissioner of Police within whose jurisdiction the applicant is residing, on forms obtainable at any Head Post Office or from the Electrical Engineer-in-Chief, stating full particulars of the article concerned, the purpose for which it is required, and the name, address and occupation of the person wishing to obtain it and of the person from whom it is desired to obtain it. Only one application is required in respect of any one transaction.

4. Any person carrying on the business of selling any such article as is specified in paragraph 2 (hereinafter called the vendor) shall maintain a register showing (a) the details of all such articles in his possession together with the dates on which the articles came into his possession and the sources from which he obtained them and (b) in respect of any sale, the article sold, the person to whom it was sold and the number of the relevant permit; and any person authorised in this behalf by the Director-General of Posts and Telegraphs may at any time inspect such register and examine the stock of the vendor for the purpose of verifying the entries therein, and may enter the premises of the vendor for the purposes aforesaid.

*Notification No. 1161, dated the 4th December, 1942 (published in the "Gazette of India, Extraordinary" of the 5th December, 1942.)*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order, namely:—

#### **The Factories Control of Production Order, 1942.**

1. *Short Title, Extent and Commencement.*—(1) This Order may be called the Factories Control of Production Order, 1942.

(2) It extends to the whole of British India.



2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context—

- (a) “Controller” means the Director General of Munitions Production, and includes any person authorised by him to exercise all or any of the powers of the Controller under this Order;
- (b) “factory” means a factory as defined in section 2 of the Factories Act, 1934 (XXV of 1934);
- (c) “Scheduled work” means any work or manufacturing process specified in the Schedule to this Order.

3. The provisions of this Order shall apply to factories other than those belonging to the Crown, which are engaged in the production or fabrication of metal or in any engineering work.

4. The Controller may enter upon and inspect any factory in which he has reason to believe that a Scheduled work is, or could be, carried on.

5. The Controller may, if he is satisfied that such action is necessary in order to maintain supplies and services essential to the life of the community or the efficient prosecution of the war—

- (a) prohibit, with from such date as he may specify, any factory from carrying out any Scheduled work otherwise than in accordance with a general or special order issued by him;
- (b) require any factory to undertake from such date as he may specify any scheduled work.

6. The occupier of every factory in which any scheduled work is being carried on, shall—

- (a) submit to the Controller so as to reach him not later than the 10th January, 1943, a true return in the form appended to this Order, of all matters specified therein;
- (b) keep and maintain such books, accounts and other records relating to the undertaking, and supply such information as the Controller may from time to time require;
- (c) produce to the Controller or to any person authorised by him in this behalf such books and other records relating to the undertaking as may be demanded by the Controller or other person aforesaid.

### **The Schedule.**

[See clause 2(c).]

Iron Casting.	Turret Lathe work.
Steel Casting.	Capstan Lathe work.
Non-ferrous Casting.	Screwing.
Heavy Forging.	Gear Cutting.
Light Forging.	Arc Welding.
Drop Stamping.	Oxy-acetylene Welding.
Planing Machine work.	Pressing.
Shaping Machine work.	Structural work.
Milling Machine work.	Ship-building or repairing.
Grinding Machine work.	Wagon-building or repairing.
Slotting Machine work.	Galvanising.
Centre Lathe work.	

**FORM.**

[See clause 6(a).]

*The Factories Control of Production Order, 1942.*

Name and address } .....  
of the factory } .....

1. Value of all orders involving *manufacture* by the occupier at sale prices (actual or estimated), accepted by the occupier on 1st December, 1942, including :—

- (a) orders not yet translated into work orders on the Factory.
- (b) orders not yet put in hand,
- (c) orders in hand,
- (d) orders completed but not billed, the total of which should be divided into percentages according to the table hereunder—

	Supply Dept. Orders.	Orders from other Depts. of the Govt. of India including Defence Services, from Provincial Govts. and from Allied Forces.	Main- tenance or Expansion of Factory.	Orders indirectly for war. *See below.	Orders from Civil Market.
Percentages of Sale Price Values.					

\*In case of the percentage for orders indirectly for the war effort please give on the reverse of this form names of the firms whose orders you have included in this category and brief particulars of the orders.

2. State the total value of sales from the factory in each of the years 1939, 1940 and 1941.

N.B.—When the factory's financial year does not coincide with the calendar year, figures are to be given for the nearest financial years, the period of which should be stated.

3. The total of labour employed in the Factory per 24 hours as follows :—

- (a) Toolroom .....
- (b) Fitters (other than Toolroom) .....
- (c) Machinists (other than Toolroom) .....
- (d) Welders .....
- (e) All other skilled and semi-skilled labour .....

- 4. (a) Number of days worked in each week .....
- (b) Number of shifts worked each day .....
- (c) Hours worked in each shift .....

Signature .....

To—The Director General, Munitions Production.  
6, Esplanade East, Calcutta.

N.B.—This form filled up and properly signed must be submitted to the Controller (Director General, Munitions Production) on or before the tenth day of January, 1943.

The submission of this form improperly or incorrectly filled up or failure to submit on or before the date specified will entail a liability to be prosecuted under the Defence of India Rules.

*Notification No. 1099, dated the 4th July, 1945 (published in the "Gazette of India" of the 7th July, 1945, Pt. I, p. 878).*

In exercise of the powers vested in me by sub-clause (a) of clause 2 of the Factories Control of Production Order, 1942, as published in the *Gazette of India*, Notification No. 1161, dated 4th December, 1942, I hereby authorise:—

- (i) The Director General, Shipbuilding and Repairs, Bombay,
  - (ii) The Assistant Director General, Shipbuilding and Repairs, Calcutta, and
  - (iii) The Deputy Director General, Shipbuilding and Repairs, Bombay,
- to exercise all the powers of the Controller under the said order, in respect of the factories named in the schedule annexed hereto.

2. This supersedes Order No. F. 48/SCI, dated 16th December, 1943, and Order No. F. 48/SCI/44, dated 3rd March 1944.

### **Schedule.**

#### *Bengal Area.*

1. Air Conditioning Corporation, Ltd.
2. Atleo Company.
3. Babcock and Wilcox, Ltd.
4. Calcutta Steam Navigation Co.
5. East Bengal Engineering Works.
6. Garden Reach Workshops.
7. Hooghly Docking and Engineering Co., Ltd.
8. Indian General Navigation and Rly. Co., Limited.
9. Jardine Menzies Co.
10. Port Commissioners.
11. Port Engineering Works.
12. River Steam Navigation Co.
13. Rodda and Co.
14. Salkea Engineering Works, Howrah.
15. Saun Yen China Arc Welding Co.
16. Sen Mookerjee and Co.
17. Shalimar Works, Howrah.
18. United Trading Corporation.

#### *Bombay Area.*

1. Ahmed Khan & Ahmedi Shipyard.
2. Air Conditioning Corporation.
3. Africawalla and Co.

4. Ahmed & Co.
5. Alcock & Ashdown.
6. Ambalal Muljhibhari at Sahari Rd., Mahir.
7. Associated Commercial Enterprises.
8. Bombay Electric Supply & Tramway Co.
9. Bombay Garage.
10. Bombay Steam Navigation Co.
11. Byculla Goods Depot.
12. Cooper, Connell & Clifford.
13. Curtis & Co., J.
14. Chandrassen Vallabhadas & Co.
15. Colonial Electric Co.
16. Cooper, J. E. Co.
17. Dinshaw Master & Co.
18. Dixon & Co., Ltd.
19. East Asiatic Co.
20. Eastern Auto Electrical Co.
21. General Electric Co. (I.), Ltd.
22. General Engineering Co.
23. Globe Welding & Eng. Works.
24. Green Textile Mfg. Co.
25. Hilda, Ltd.
26. Hind Tank Mfg. Co.
27. Holland R. & Co.
28. Hylands, Ltd.
29. Kerr & Co., D. M.
30. Kalla & Co.
31. Klav Alex.
32. Larson & Toubre, Ltd.
33. Mackenzie, Ltd.
34. Parckl & Partloo.
35. Port Trust.
36. Roberts & Weirbridge.
37. Sequeira Bros.
38. Scindia Steam Navigation.
39. Shaparia Dock & Eng. Co.
40. The British India Eng. Co.

41. Turner Hoare & Co.
42. Turner Morrison & Co., Ltd.
43. United Motors.
44. Waltham & Co.
45. Walker W. W. & Co.
46. Ward, Guy & Co.

*Madras Area.*

1. Binny & Co.
2. Brunton & Co. (Engineers). Ltd., Cochin.
3. Crompton Engineering Works.
4. Crompton Engineering Co. (Vizagapatam), Ltd.
5. Mackenzie, Ltd.
6. Madura Co., Calicut.
7. Madura Co., Cochin.
8. Port Trust, Vizagapatam.
9. Port Trust, Madras.
10. Scindia Shipyard, Vizagapatam.

*Sind Area.*

1. Alcock & Ashdown, Karachi.
2. British India Eng. Works.
3. Carstairs Cumming, Karachi.
4. Docks Eng. & Welding Works, Karachi.
5. Economic Engineering Co., Karachi.
6. Harman & Mohatta, Karachi.
7. Karachi Engineering Works & Foundry, Karachi.
8. Macdonald & Sons, Karachi.
9. Port Trust, Karachi.

*Notification No. 1122, dated the 5th October, 1943 (published in the "Gazette of India" of the 9th October, 1943, Pt. I, p. 1104).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. This Order may be called the Ferro-Alloys Control Order, 1943.
2. In this Order, unless there is anything repugnant in the subject or context—

<sup>1</sup>(a) "Controller" means the Director-General of Munitions Production or any officer authorised by him to perform all or any of the duties assigned by this Order to the Controller;

---

<sup>1</sup>Substituted by notification No. 1467, dated the 22nd December, 1934.

(b) "ferro-alloy" means any of the substances specified in the schedule to this Order;

(c) "stockholder" means any person who owns or has in his possession or under his control any quantity of any ferro-alloy;

(d) "prescribed" means prescribed by the Controller under clause 7 of this Order.

3. No stockholder shall use or dispose of any ferro-alloy except under the written authority of the Controller and in accordance with the terms and conditions of such authority.

4. No person shall acquire, or agree to acquire, any quantity of any ferro-alloy except with the previous permission in writing of the Controller and in accordance with the terms and conditions of such permission.

5. Any officer authorised by the Central Government in writing in this behalf may enter upon and inspect any premises in which he has reason to believe that—

(a) any ferro-alloy is stocked or sold; or

(b) any undertaking which involves the use or consumption of ferro-alloys for any manufacturing process is carried on.

6. Every stockholder shall—

(a) not later than the seventh day of January, April, July and October each year submit to the Controller a return in the prescribed form showing the stocks of any ferro-alloy owned by him or in his possession or under his control at the beginning and end of the previous quarter, details of every sale or purchase made by him during that quarter and of any quantity of any ferro-alloy otherwise used or disposed of by him during the period and the purposes for which it was so used;

(b) keep such books, accounts and other records relating to the stocks, sales or undertaking as the Controller may direct;

(c) produce to any officer authorised by the Controller in writing in this behalf such books, accounts or other records relating to his undertaking as may be demanded by such officer.

7. The Controller may prescribe such forms and issue such instructions consistent with the provisions of this Order as may be necessary for carrying out the purposes of the Order.

#### *Schedule.*

Ferro-silicon.

Silico-manganese.

Ferro-manganese.

Ferro-chrome.

Ferro-molybdenum.

Ferro-tungsten.

Ferro-vanadium.

Ferro-phosphorus.

Ferro-titanium.

Calcium-silicide.

#### *Cobalt.*

Nickel, including all forms of nickel such as non-ferrous scrap, clippings, foil, shot, pellets, anodes and electrolytic slabs and all alloys of nickel in which nickel is the major constituent by weight.

Ferrous Scrap containing more than—

0.50 per cent. Nickel, or	1.00 per cent. Tungsten, or
0.20 per cent. Molybdenum, or	0.20 per cent. Vanadium, or
1.00 per cent. Cobalt.	

18. Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any ferro-alloy in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

*Notification No. C. G.-602(86), dated the 1st February, 1946, [published in the "Calcutta Gazette, Extraordinary" of the 14th February, 1946, p. (i).]*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the order shall be given by publishing it in the *Gazette of India*/the *Provincial Gazettes* and by the issue of a Press Note summarising and explaining its provisions.

1. (1) This order may be called the Flour (use in Soap making) (Prohibition) Order, 1946.

(2) It extends to the whole of British India.

(3) It shall come into force from the 16th February, 1946.

(4) The Flour (use in Soap making) (Prohibition) Order, 1944, is hereby repealed.

2. No person shall use in the manufacture of soap the flour of any of the foodgrains specified in the Schedule to this order.

3. Any officer authorised by the Central Government or the Provincial Government in this behalf may, with a view to securing compliance with this order enter and search or authorize any person to enter and search, any premises where soap is manufactured.

4. Any authorisation made under clause 3 of the Flour (use in Soap making) (Prohibition) Order, 1944, shall be deemed to have been made under clause 3 of this order.

#### **Schedule.**

1. Wheat and wheat products including ata, maida, rawa, suji and bran (triticum spp inclusive of the different species).
2. Rice in the husk (paddy) (*Oryza Sataiva*).
3. Rice husked (*Oryza Sataiva*).
4. Maize (*Zea*, mays).
5. Jowar (*Sorghum vulgare*).
6. Bajra (*Pennisetum Typhoides*).
7. Gram, any variety (*Cicer arietinum*).
8. Barley (*Hordeum vulgare*).
9. Ragi or mandua (*Eleusine coracana*).

10. Rahar (*Cajanus indicus*).
11. Masur (*Lens esculenta* or *Ervum lens*).
12. Kodra (Kodon) (*Paspalum Scrobiculatum*).
13. Korra (Tonai) (*Setaria italica*).

*Notification No. 21(4)-G.C./44, dated the 10th February, 1945 (published in the "Gazette of India" of the 10th February, 1945, Pt. I, p. 165).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Footwear Control Order, 1945.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this Order, unless there is anything repugnant in the subject or context:—
  - (a) "ceiling price" in relation to footwear of any description means the price shown in the Schedules to this Order as the ceiling price for footwear of that description;
  - (b) "cottage manufacturer" means a person who manufactures footwear for sale through a factor;
  - (c) "factor" means a person, other than a manufacturer, who carries on the business of purchasing footwear manufactured by cottage manufacturers for resale to retailers;
  - (d) "footwear" means any article of footwear made wholly or partly of leather, including chappals and sandals, or such other footwear specifically included in the Schedules to this Order;
  - (e) "manufacturer" means a person who manufactures footwear for sale otherwise than through a factor;
  - (f) "price" means price per pair of the footwear;
  - (g) "retailer" means a person other than an importer who carries on the business of selling any footwear otherwise than for the purpose of resale;
  - (h) "Schedule" means a Schedule annexed to this Order.
3. The provisions of this Order shall not apply in relation to:—
  - (a) footwear imported from outside India;
  - (b) footwear specially made to measure for a particular person for his own use [and sold to that person];
  - (c) footwear, other than those mentioned in the Schedules, the retail price for which is less than three rupees; and
  - (d) footwear supplied in pursuance of a contract made with the Central Government in the Department of Supply.
4. (1) No footwear of a description given in Schedule I or Schedule II shall be sold or offered for sale by any person at a price exceeding its ceiling price.
- (2) No footwear of a description given in Schedule III shall be sold or offered for sale:—
  - (a) by a manufacturer or a factor to a retailer,

---

<sup>1</sup>Inserted by notification No. 1(1)-F/45, dated the 8th December, 1945.



(b) by a cottage manufacturer to a factor, or

(c) by any person in a retail sale transaction, at a price exceeding the ceiling price of the footwear as shown in the appropriate part and column of that Schedule.

(3) No manufacturer or factor shall sell, or offer for sale, to a retailer any footwear other than those specified in Schedule I or Schedule II at a price exceeding 76 per cent. of the retail price as marked on the footwear under the provisions of this Order.

(4) No retailer shall sell or offer for sale any footwear purchased by him before the 29th June, 1944, at a price which exceeds his cost price by more than 31½ per cent. thereof.

(5) Where any footwear has impressed or marked on it its retail price under the provisions of this Order, no retailer shall sell or offer to sell it at more than that price.

(6) Notwithstanding anything contained in sub-clauses (1) to (5), where a retailer is required to pay octroi charges in excess of three pies in the rupee, he may add to the retail sale price of the footwear permissible under those sub-clauses a charge just sufficient to cover the excess octroi charges.

(7) For the purposes of sub-clauses (1), (2) and (3), the prices charged by a manufacturer or factor shall be calculated inclusive of packing charges and charges for transportation by goods train up to the railway station nearest to the retailer's place of business.

5. No factor shall in the course of his business purchase footwear from a cottage manufacturer at a price which is less than 71 per cent. of the price subsequently marked by the factor under the provisions of this Order as the retail price of the footwear:

Provided that it shall be lawful for the factor to recover from the cottage manufacturer a charge at rates not exceeding the following to cover the cost of providing laces and cartons, packing charges and charges for forwarding by goods train to the railway station nearest to the retailer's place of business:—

Men's and Women's and youth's sizes	..	..	12 annas per pair.
Boys' sizes	..	..	10    "    "
Children's sizes	..	..	8    "    "
All sizes of chappals and Indian pattern footwear	..	6	"    "

Provided further that where the footwear is sold by the cottage manufacturer in an incomplete form, the factor may recover a further charge at the rate of six and a half annas per pair to cover the cost of supplying and fixing insoles, polishing and otherwise completing the footwear.

6. Every retailer shall display prominently in his shop a true copy of Schedules I and II and Part C of Schedule III and allow any customer to refer to it.

7. (1) All footwear shall have clearly impressed on the sole thereof or, in the case of footwear of small size or where impressing on the sole is not practicable, shall have clearly marked in indelible ink on the inner sole or side thereof:—

(a) the name of the brand, or if the footwear is not of a named brand, the name of the manufacturer or factor who has impressed on the footwear the particulars prescribed in this sub-clause;

(b) the size;

(c) except in the case of footwear specified in Schedule I or Schedule II and Indian Pattern footwear not covered by Type No. 11 of Schedule III, the type number of the footwear as shown in column 1 of Schedule III, thus "Type No. 6A";

(d) the retail price.

(2) The factor, in the case of footwear purchased by him from a cottage manufacturer, and the manufacturer in any other case, shall be responsible for impressing or marking on the footwear all particulars in accordance with sub-clause (1):

Provided that in the case of footwear in the possession of a retailer which has been marked in accordance with the provisions of the Footwear Control Order, 1944, the retailer shall be responsible for bringing those markings into conformity with the provisions of this Order before the 31st March, 1945.

(3) No manufacturer shall sell or otherwise dispose of, and no retailer shall have in his possession, any footwear on which particulars are not impressed or marked in accordance with sub-clause (1):

Provided that a retailer may, until the 31st March, 1945, have in his possession any footwear on which particulars are impressed or marked in accordance with the provisions of the Footwear Control Order, 1944.

8. Any officer authorised in this behalf by the Central Government or the Provincial Government may, with a view to securing compliance with this Order,—

- (a) require any person to give any information in his possession in respect of any business carried on by that or any other person;
- (b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person;
- (c) enter and search, or authorize any person to enter and search, any premises, and seize, or authorize any person to seize, any article in respect of which he has reason to believe that a contravention of this Order has been committed.

9. Any court trying a contravention of this Order, may without prejudice to any other sentence which it may pass, direct that any footwear, in respect of which the court is satisfied that the Order has been contravened, shall be forfeited to His Majesty.

10. The Central Government may by special or general order exempt any person or class of persons from all or any of the provisions of this Order.

11. The Footwear Control Order, 1944, shall cease to have effect save as respects things done or omitted to be done before the coming into force of this Order:

Provided that all proceedings commenced and authorisations made under any provisions of that Order shall be continued, and shall be deemed to have been commenced or made under the corresponding provisions of this Order.

[For Schedules see "Gazette of India", dated the 10th February, 1945, Pt. I, page 166.]

*Notification No. 21(4)-G.C./44, dated the 29th July, 1944 (published in the "Gazette of India" of the 29th July, 1944, Pt. I, p. 983).*

In pursuance of clause 8 of the Footwear Control Order, 1944, the Central Government is pleased to authorise the Controller-General, Additional

Controller-General, Deputy Controllers-General, Assistant Controllers-General, and Inspectors of Civil Supplies in the Department of Industries and Civil Supplies to exercise the powers specified in the said clause of the said Order.

*Notification No. 230-I.C. (61) 42, dated the 20th February, 1943 (published in the "Calcutta Gazette" of the 15th March, 1943, Pt. I.A., p. 148).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. *Short title and commencement.*—(1) This Order may be called the Fuel Alcohol Order, 1943.

(2) It shall come into force at once:

Provided that clauses 3 to 14 (both inclusive) shall not take effect in any Province unless the Provincial Government by notification in the official Gazette so directs. Such a direction may be made in respect of all or any of the said clauses.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context,—

- (a) "molasses" means the final residual by-product obtained in the manufacture of sugar at a factory as defined in clause (j) of section 2 of the Factories Act, 1934;
- (b) "petrol" means dangerous petroleum as defined in clause (b) of section 2 of the Petroleum Act, 1934;
- (c) "petroleum" has the meaning assigned to it in clause (a) of section 2 of the Petroleum Act, 1934;
- (d) "anhydrous power alcohol" means alcohol containing not less than 99.5 per cent. by volume of ethyl alcohol measured at sixty degrees Fahrenheit corresponding to 74.4 over-proof strength;
- (e) "rectified spirit" means alcohol containing not less than 95 per cent. of ethyl alcohol by volume;
- (f) "sale" includes exchange, barter and offering and exposing for sale;
- (g) "Provincial Government" shall be deemed to include a Chief Commissioner;
- (h) "distiller" means a person who has been granted a licence to produce fuel alcohol in accordance with the provisions of a Provincial Excise law;
- (i) "fuel alcohol" means anhydrous power alcohol or rectified spirit which is capable of being used as motor fuel.

3. *Conditions of sale of petrol.*—(1) Save as otherwise provided in this Order, no person shall sell petrol except with an admixture as provided in sub-clause (2) of anhydrous power alcohol or rectified spirit which has been supplied by the Provincial Government, if that Government has issued a notification under paragraph (i) of sub-clause (1) of clause 6, or which has been supplied by any other person in accordance with this Order if such notification has not been issued.

(2) The proportion of anhydrous power alcohol or rectified spirit in such mixture shall not be less than such as may be notified by the Provincial Government from time to time, and different proportions may be notified for different areas or for mixtures destined for different purposes:

Provided that the proportion so notified of anhydrous power alcohol in such mixtures destined for use by the Defence Services shall be determined in consultation with the War Department of the Central Government.

(3) Nothing in this Order shall bar the use of neat denatured anhydrous power alcohol or of neat denatured rectified spirit for providing motive power in motor vehicles.

4. *Persons prohibited from using petrol without admixture of fuel alcohol.*—(1) Save as otherwise provided by or under this Order, no person shall use petrol for providing motive power for any motor vehicle without admixture as provided in sub-clause (2) of clause 3 with anhydrous power alcohol or rectified spirit:

Provided that petrol which is brought from any place in which the provisions of this clause and clause 3 are not in force and which is contained in any fuel tank incorporated in any motor vehicle or attached to the engine of such vehicle may be used for providing motive power for such vehicle without being admixed with anhydrous power alcohol or rectified spirit.

(2) The Provincial Government may by notification in the official Gazette prescribe areas in which no liquid fuel other than fuel alcohol shall be used to provide motive power for any vehicle other than aircraft, and if such notification has been issued, no person shall use any liquid fuel other than neat fuel alcohol to provide motive power for such vehicle in those areas:

Provided that nothing in this sub-clause shall bar the use of producer gas for providing motive power in any motor vehicle.

5. *Conditions of use of petrol without admixture of fuel alcohol.*—Notwithstanding anything contained in clauses 3 and 4, when for any cause there is a failure or any apprehension of immediate failure in the supply of petrol with the notified admixture of fuel alcohol in any district, the Collector may, subject to any regulations that may be made by the Provincial Government in this behalf, authorise the sale and use within his jurisdiction of petrol without such admixture for such period as he may deem fit and may at any time withdraw or modify such authority or from time to time extend the period of such authority.

6. *Conditions of manufacture and sale of fuel alcohol.*—(1) The Provincial Government may provide by notification in the official Gazette,—

(i) that distillers shall not sell fuel alcohol in the Province except to the Provincial Government;

(ii) for the price at which fuel alcohol may be sold within the Province whether to the Provincial Government or otherwise.

(2) The Provincial Government may by order in writing for the maximum or minimum quantities (or both) of fuel alcohol which a distiller may manufacture:

Provided that an authority authorised by the Provincial Government in this behalf may, subject to any regulations made by the Provincial Government, permit such variations in the quantities so fixed as it may deem expedient.

(3) For a contravention of any notification or order under this clause, the licence of a distiller shall, in addition to any other punishment to which he may be liable and notwithstanding anything contained in any other law, be liable to be cancelled by order of the Provincial Government.

7. *Provision regarding supply of molasses.*—The Provincial Government may by notification in the official Gazette, provide,—

- (i) for specifying for a distiller one or more areas from which he may draw supplies of molasses for use in the production of fuel alcohol;
- (ii) for the fixing of the maximum prices at which molasses of any specified description produced in any such area shall be sold to the distiller;
- (iii) for providing that molasses of any specified description shall be exempted from the operation of this order.

8. *Condition of sale of molasses.*—When any notification has been issued under sub-clause (i) of clause 7 for any area, no person possessing molasses in that area who is not himself a distiller, shall sell molasses produced by him in the area, to any person other than the distiller for whom that area had been specified, except with the written permission of an authority, not below the rank of Collector, appointed by the Provincial Government in this behalf; and that authority shall not grant such permission unless it is satisfied that the supplies of molasses left in the area are and will be sufficient for the distiller for whom the area has been specified to enable him to provide the amount of fuel alcohol fixed for him under sub-clause (2) of clause 6.

9. *Additional conditions of manufacture and sale of fuel alcohol.*—Licences for the manufacture of fuel alcohol granted by the Provincial Government in accordance with the provisions of the Provincial Excise law may, besides containing particulars that may be necessary under the provisions of that law or this Order, contain conditions regarding—

- (a) the price at which anhydrous power alcohol or rectified spirit capable of being used as motor fuel shall be sold by the manufacturer to the Provincial Government or to any other person in accordance with the provisions of clause 6;
- (b) the maximum and minimum quantities of anhydrous power alcohol or rectified spirit which shall be manufactured by the licensee and the spread over of such production during the period of the licence, subject to the power of an authority authorised by the Provincial Government to alter such quantity in accordance with such regulations as the Provincial Government may make in this behalf.

10. *Addition of denaturants to fuel alcohol.*—Every manufacturer of fuel alcohol shall add to it denaturant of such specification and in such proportions as may be notified by the Provincial Government from time to time and different denaturants, and different proportions may be so notified for anhydrous power alcohol or rectified spirit destined for different purposes.

11. *Sale or custody of fuel alcohol prohibited except under licence.*—No person shall sell, or keep for sale, any fuel alcohol except under the authority of a licence and subject to such terms and conditions contained therein as the Provincial Government may by regulations prescribe.

12. *Licence to sell neat petrol.*—(1) Notwithstanding anything contained in clause 3, the Provincial Government may authorise any officer, not below the rank of Collector, to grant a licence to any person to sell petrol without an admixture of fuel alcohol for use in aircraft or for such purpose other than that of affording motive power for any motor vehicle as may be notified by the Central Government.

(2) Such licence shall be in such form, and subject to such terms and conditions as may be prescribed by regulations made by the Provincial Government.

\* 13. *Preparation and distribution of mixtures of fuel alcohol and petrol prohibited except under a licence.*—No person shall carry on the operation of mixing fuel alcohol with petrol or petroleum or the distribution of fuel alcohol or a mixture thereof with petrol except under the authority and subject to the terms and conditions of a licence granted by an authority appointed in that behalf by the Provincial Government.

14. *Fixation of price of mixture of fuel alcohol and petrol.*—The Provincial Government may fix, by notification in the official Gazette, the price at which any mixture of fuel alcohol and petrol may be sold for use as motor fuel, and when such price has been notified, no person shall sell such mixture at any other price.

15. *Administration of these orders to be done by Provincial Governments.*—The Provincial Government may, by notification in the official Gazette, make regulations for the purpose of giving effect to the provisions of this Order.

16. *Certain other laws not prejudiced by this Order.*—This Order shall apply without prejudice to the provisions of—

- (i) The United Provinces Power Alcohol Act, 1940;
- (ii) The Bihar Power Alcohol Act, 1942;
- (iii) The Bombay Power Alcohol and Petroleum Act, 1942.

*Notification No. 1381, dated the 2nd December, 1943 (published in the "Gazette of India" of the 4th December, 1943, Pt. I, p. 1307.)*

\* In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

### **The Hides (Movement Control) Order, 1943.**

1. (1) This Order may be called the Hides (Movement Control) Order, 1943.

(2) It shall come into force on the 15th day of December, 1943.

2. In this Order, "North-West India" means the territories comprised within the Punjab, the North-West Frontier Province, Sind and Baluchistan.

3. No person shall offer any consignment of any kind of raw hides of cattle or buffaloes for transport by rail, or cause any such consignment to be transported by rail, from a railway station in North-West India to a railway station outside it, except under a permit issued by the Officer on Special Duty (Hide Movement):

Provided that the above restriction shall not apply to the transport by rail of hides consigned—

- (i) to Messrs. Cooper Allen & Co., Cawnpore, or
- (ii) on a military credit note.

4. Applications for permits under clause 3 shall be made by the consignor in quadruplicate in the form appended to this Order to the Officer on Special Duty (Hide Movements), Office of the Deputy Controller of Supplies, Lahore.

### **FORM.**

*Application for permit under the Hides (Movement Control) Order, 1943.*

- 1. Name of consignor.
- 2. Postal address of consignor.
- 3. Telegraphic address of consignor.

4. Name of consignee.
5. Address of consignee.
6. Whether cow, buff or Kattais and number of each type.
7. Whether—
  - (a) Dry.
  - (b) Dry-salted.
  - (c) Wet-salted.
8. Weight in maunds and number of each type.
9. Station of Despatch.
10. Station of Destination.
11. State reasons why permit is requested.

12. If the hide is for export, state country, export licence number, if any, and export licensing authority.

If import recommendation received from Government of importing country, give details.

Place.....

*Signature of applicant.*

Date.....

*(Not to be filled by the applicant.)*

Permit under the Hides (Movement Control) Order, 1943, is hereby granted to the consignor named in the application on the reverse to transport by rail.....hides of the quality specified in the said application from.....to.....

Place.....

*Officer on Special Duty  
(Hide Movements).*

Date.....

*Notification No. L-MP. 14/104, dated the 18th November, 1944 (published in the "Gazette of India" of the 25th November, 1944, Pt. I, p. 1522).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Labour Recruitment Control Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force on the 18th of December, 1944.

2. In this Order, unless there is anything repugnant in the subject or context,—

(1) "Contractor" includes any person who supplies, or agrees to supply, labourers to another person or to Government;

(2) "Controlled district" means any of the following districts, namely:—

1[The Asansol Subdivision (excluding Kaksa P. S.) of the Burdwan District.				} In Bengal.]
The Thanas of Khayrasol and Dubrajpore of the Bir- bhum District.				
The Thanas of Saltora, Mejhia, Borjora, Chatna, Ind- pur, Katra, and Gangajalghati of the Bankura District.				
Manbhum	..	..	..	} In Bihar.
2[Hazaribagh (excluding Chatra Subdivision)]				
Santal Parganas	..	..	..	
Bilaspur	..	..	..	} In the Central Provinces.
Raipur	..	..	..	
Drug	..	..	..	

Or any of the following areas, namely:—

Area within a ten miles radius of Jhajha	..	} In Bengal.
Area within a ten miles radius of Simultala	..	

(3) "Controller" means, in relation to any controlled district, the District Magistrate of that district and includes any other officer authorised by the Provincial Government or the District Magistrate to perform all or any of the functions of the Controller under this Order;

(4) "form" means a Form appended to this Order;

(5) "labourer" means a person working on wages not exceeding three rupees a day, but does not include a clerk, domestic servant, or mechanic;

(6) "to recruit labour" means the engagement in any controlled district of labourers for employment on any work outside that district but does not include recruitment for enlistment in the armed forces.

3. No contractor or other employer of labour shall by himself or another recruit labour in any controlled district except under and in accordance with the terms of a valid licence in Form A issued by the Controller of that district.

4. There shall be payable in respect of every licence in Form A a licence fee of rupees ten.

5. Every application for a licence in Form A shall be made to the Controller in Form B giving all the particulars called for therein.

6. A Controller may in his discretion accept or reject any application for a licence:

Provided that if he rejects any such application, he shall record in writing his reasons for doing so and communicate them to the applicant.

7. A Controller may in his discretion cancel or suspend any licence in Form A granted by him:

Provided that he shall record in writing his reasons for doing so and communicate them to the licensee.

8. Any person whose application for a licence has been rejected under clause 6 or whose licence has been cancelled or suspended under clause 7 may within 30 days of the date on which the Controller's order is communicated to him, appeal against that Order to such authority as may be

<sup>1</sup>Substituted by notification No. L-MP 3(19), dated the 19th June, 1945.

<sup>2</sup>Substituted by notification No. LMP 3(22), dated the 18th July, 1945.



specified by the Central Government in this behalf; and the decision of that authority on such appeal, and subject only to that decision the Controller's order, shall be final.

9. Every person holding a licence in Form A shall submit to the Controller concerned a monthly return in Form C, giving all the particulars called for therein so as to reach the Controller not later than the 10th day of each month, and shall also furnish him with such further information as he may require from time to time.

### FORM A.

(See clause 3.)

*Licence under the Labour Recruitment Control Order, 1944.*

.....(full name and address).....is hereby licensed to recruit labour in the.....district to the extent and for the works specified below:—

Number of labourers that may be recruited during.

Name of work	the period of licence.	any calendar month.
--------------	---------------------------	------------------------

- 1.
- 2.
- 3.
- 4.

This licence shall be valid for a period of six months from the date given below; unless it is cancelled earlier by order of the Controller.

*(Signature and designation of Controller.)*

(Place and date.)

### FORM B.

(See clause 5.)

*Application for licence under the Labour Recruitment Control Order, 1944.*

1. Name of applicant.
2. Father's name.
3. Residence.
4. Name and location of work(s) for which labour is proposed to be recruited and number of labourers proposed to be recruited in respect of each work.
5. Terms of remuneration and employment of labourers proposed to be recruited.
6. Number and date of any previous licence held in the same district.

*Signature.....*

## FORM C.

(See clause 9.)

Return for the month

194 .

*Under the Labour Recruitment Control Order, 1944.*

1. Name in full of licensee.
2. Name and date of licence.
3. Designation of the Controller issuing the licence.
4. Number of labourers recruited during the month under the licence.
5. Work and Works and their location for which labour was engaged showing separate particulars.
6. Number and date of my previous licence held in the.....

*Notification No. LMP. 14/105, dated the 18th November, 1944 (published in the "Gazette of India" of the 25th November, 1944, Pt. I, p. 1524).*

In exercise of the powers conferred by clause 8 of the Labour Recruitment Control Order, 1944, the Central Government is pleased to specify the Director of Unskilled Labour Supply, Calcutta, as the authority for the purposes of the said clause.

*Notification No. P. & S. C. 90/43, dated the 30th September, 1944 (published in the "Gazette of India, Extraordinary" of the 30th September, 1944, p. 1423).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Lac Export Control Order, 1944.  
(2) It shall come into force on the first day of October, 1944.
2. In this Order,—
  - (i) "export" means to take out of British India by land, sea or air to any place outside India;
  - (ii) "schedule" means the Schedule annexed to this Order;
  - (iii) "standard grade", in relation to lac, means any one of the grades specified in column 1 of the Schedule.
3. No person shall export, or sell for export,—
  - (i) any lac which is not of a standard grade,
  - (ii) any shellac, buttonlac or garnetlac which is not free from orpiment.
4. No person shall sell for export, or offer to sell for export, any lac of a standard grade at an f.o.b. price exceeding the price specified against that grade in column 3 of the Schedule:
 

Provided that where the lac is, or is to be, delivered, packed in wooden cases an additional charge just sufficient to cover the cost of such packing may be made by the seller.
5. Any person exporting lac shall have each package thereof marked with the essential shipping head-mark assigned to lac of that grade in column 2 of the Schedule, and give the same description in the relevant shipping bills and invoices.

6. Any person exporting lac shall, at the time of presenting the relative shipping bill, make before the Collector of Customs a declaration—

(a) that the f.o.b. price at which the lac to be exported has been sold to the consignee at the port of destination does not exceed the maximum price permissible under clause 4, including all commissions or customary disbursements made by the shippers to the buyers, and

(b) that all packages of lac to be exported are correctly marked under clause 5.

7. The Collector of Customs or any person authorised by him in this behalf may open and examine any package of lac intended for export with a view to satisfying himself that the grade of lac contained in the package corresponds to the description given on the package and in the shipping bill.

8. The Central Government may by general or special order exempt any lac intended for export from any or all of the provisions of this Order.

### **Schedule.**

*[Not printed here.]*

*Notification No. 38, dated the 15th February, 1941 (published in the "Calcutta Gazette" of the 6th March, 1941, Pt. IA, p. 68).*

### **MACHINE TOOL CONTROL ORDER.**

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

### **Machine Tool Control Order, 1941.**

1. *Short title, extent and commencement.*—(1) This Order may be called the Machine Tool Control Order, 1941.

(2) It extends to the whole of British India.

(3) It shall come into force on the first day of March, 1941.

2. *Definitions.*—In this Order, unless there is something repugnant in the subject or context:—

(a) "Machine Tool" includes any mechanical contrivance for cutting, forming, abrading, polishing, or otherwise working or treating wood or metal <sup>1</sup>[or plastic materials, such as Bakelite], any standard equipment usually sold therewith, and any machinery ancillary to the operation thereof;

(b) "Machine Tool Controller" means any officer appointed by the Central Government to exercise all or any of the powers of the Machine Tool Controller under this Order;

(c) "Scheduled Machine Tool" means a machine tool entered in the Scheduled to this Order.

3. *Licensing of import, production and sale of Scheduled Machine Tools.*—(1) No person shall be engaged in—

(a) the import into British India from any place outside India;

---

<sup>1</sup>Added by notification No. 895, dated the 3rd August, 1943.

- (b) the production; or
- (c) the sale;

of any scheduled machine tool <sup>1</sup>[or any component part thereof] except under and in accordance with a licence granted by the Machine Tool Controller.

<sup>2</sup>(2) Licences for the production or the sale of scheduled machine tools shall be in Form A appended to this Order, and licences for the import of scheduled machine tools shall be in such forms as the Machine Tool Controller may from time to time determine.

(3) The Machine Tool Controller may, for reasons to be recorded in writing, cancel any licence granted under this clause.

(4) The Central Government may from time to time fix maximum prices at which the various types of machine tools manufactured in India, may be sold.

4. *Acquisition of Scheduled Machine Tools.*—No person shall acquire any scheduled machine tool from any person in India except under an authorisation by the Machine Tool Controller <sup>3</sup>[in Form B appended to this Order].

5. *Inspection of Premises.*—The Machine Tool Controller, or any officer authorised by him in writing in this behalf, may enter upon and inspect any premises in which machine tools are or are reasonably believed to be produced, kept for sale, sold, or used.

6. *Supply of accounts and other information.*—Every person engaged in the import, production, sale, or use of machine tools shall:—

- (a) keep such books, accounts, or other records relating to his undertaking as the Machine Tool Controller may direct;
- (b) produce to the Machine Tool Controller, or to any officer authorised by him in writing in this behalf, such books, accounts, or other records relating to his undertaking as may be demanded by the Machine Tool Controller or other officer as aforesaid;
- (c) furnish to the Machine Tool Controller such estimates, returns and other information as the Machine Tool Controller may require;
- (d) permit the Machine Tool Controller, or any officer authorised by him in writing in this behalf, to enter upon and inspect any premises used for, or in connection with, his undertaking.

7. Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that the machine tools in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.

### **The Schedule.**

All machine tools of the following types below the ages specified <sup>1</sup>[(such age being calculated, if the machine tool has been subsequently re-conditioned, from the date of such reconditioning, and in any other case from the date of original manufacture)] including any standard equipment or ancillary machinery usually supplied therewith:—

*[Not printed here.]*

<sup>1</sup>Inserted by notification No. 101, dated the 22nd March, 1941.

<sup>2</sup>Substituted by notification No. 230, dated the 9th February, 1945.

<sup>3</sup>Inserted, *ibid.*

**FORM A.**

[See clause 3(2).]

Serial Number

Date

Licence to produce  
sell or keep for sale

scheduled machine tools.

(Free of all fee.)

is  
are herebylicenced to produce  
sell or keep for sale the following scheduled machine tools:—

Description.	Number which may be—		
	Produced.	*Kept for sale.	*Sold.

2. The premises of the licensee shall be located at the following place\*  
places.

3. The licensee shall sell scheduled machine tools only to the following persons or classes of persons and for the following purposes:—

Persons or classes of persons.	Purposes.

4. The licence is granted subject to the provisions of the **MACHINE TOOL CONTROL ORDER, 1941**, a copy of which is printed as part of the licence.

5. The validity of this licence expires on .

6. The licensee shall comply with any directions given by the Machine Tool Controller as to the types, number and design of the scheduled machine tools to be produced or kept for sale from time to time.

(Signed.)

*Machine Tool Controller.*<sup>1</sup>Inserted by notification No. 230, dated the 9th February, 1945.

\*Strike out words which are inapplicable.

**FORM B.**

(See clause 4.)

**Authorisation to Acquire Scheduled Machine Tools.**

(Free of all fee.)

is/are hereby  
authorised to acquire the following scheduled machine tools:—

Description.	Number.	Name of persons from whom tool(s) will be acquired.

2. The validity of this authorisation expires on .

(Signed.)

*Machine Tool Controller.*

*Notification No. 333, dated the 21st/22nd March, 1944 (published in the "Gazette of India" of the 26th March, 1944, Pt. I, p. 339).*

In pursuance of the provisions of sub-clause (b) of clause 2 of the Machine Tool Control Order, 1941, and in supersession of notification of the Government of India in the Department of Supply, No. 1083, dated the 23rd September, 1943, the Central Government is pleased to appoint the following officers to exercise the powers of the Machine Tool Controller under the said Order specified against each:—

- |   |   |   |
|---|---|---|
| 1. Director, Machine Tools<br>(Imports).<br>Senior Adviser, Machine Tools<br>(Imports).         | } | Power to issue licences in respect of imports under clause 3. |
| 2. Director, Machine Tools<br>(Manufacture).<br>Senior Adviser, Machine Tools<br>(Manufacture). |   |   |
| 3. Director, Machine Tools<br>(Planning).<br>Senior Adviser, Machine Tools<br>(Planning).       | } | Power to issue licences in respect of sale under clause 3.    |
| 4. Assistant Directors, Machine<br>(Tools).   |   |   |
|   |   | Power to issue authorisations under clause 4.                 |

*Notification No. 678, dated the 14th November, 1944 (published in the "Gazette of India" of the 18th November, 1944, Pt. I, p. 1491).*

In pursuance of the provisions of sub-clause (b) of clause 2 of the Machine Tool Control Order, 1941, and in supersession of notification of the Government of India in the Department of Supply No. 333, dated the 21st/22nd

March, 1944, the Central Government is pleased to appoint the following officers to exercise the powers of the Machine Tool Controller under the said Order specified against each:—

- |  |   |   |
|--|---|---|
| (1) Director, Machine Tools ...<br>Senior Adviser, Machine Tools<br>(Imports).   | } | Power to issue licences in respect of imports under clause 3. |
| (2) Director, Machine Tools ...<br>Senior Adviser, Machine Tools<br>(Manufacture).   |   |   |
| (3) Director, Machine Tools ...<br>Senior Adviser, Machine Tools<br>(Planning).  | } | Power to issue licences in respect of sale under clause 3.    |
| (4) (i) Director, Machine Tools ...<br>(ii) Senior Advisers ...<br>(iii) Deputy Directors ...<br>(iv) Assistant Director, Machine Tools. |   |   |
|  | } | Power to issue authorisations under clause 4.                 |
|  |   |   |

*Notification No. BA-11(34), dated the 16th May, 1944 (published in the "Gazette of India" of the 20th May, 1944, Pt. I, p. 671).*

In exercise of the powers conferred by sub-clause (5) of clause 3 of the Machine Tool Control Order, 1941, the Central Government have fixed the following maximum prices at which machine tools manufactured in India may be sold:—

[For price list see "Gazette of India" of the 20th May, 1944, Pt. I, p. 671.]

*Notification No. BA-11(34), dated the 2nd September, 1944 (published in the "Gazette of India" of the 9th September, 1944, Pt. I, p. 1194).*

In exercise of the powers conferred by sub-clause (5) of clause (3) of the Machine Tool Control Order, 1941, the Central Government have fixed the following maximum prices at which machine tools of the types specified below, manufactured in India, may be sold:—

*[Not printed here.]*

*Notification No. D. 3847/H(c) 44, dated the 15th November, 1944 (published in the "Gazette of India" of the 25th November, 1944, Pt. I, p. 1520).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

#### **The Milk (Use in Manufacture) Control Order, 1944**

1. (a) This order may be called the Milk (Use in Manufacture) Control Order, 1944.

(b) It extends to the whole of British India.

(c) It shall come into force in a Province from such date as the Provincial Government may notify in the Official Gazette.

2. In this Order "Milk" means cow's, buffalo's or goat's milk and includes separated or skimmed milk and any other edible product derived from milk.

3. No person shall use or cause to be used milk in the manufacture of any non-edible product or of any product not intended for human consumption, except under and in accordance with the conditions of a valid licence issued by the Provincial Government or such authority as the Provincial Government may appoint in that behalf.

4. A licence issued under clause 3 shall be valid for such period not exceeding twelve months as may be stated therein.

*Notification No. 486, dated the 9th March, 1945 (published in the "Gazette of India" of the 17th March, 1945, Pt. I, p. 325).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Non-ferrous Metals Control Order, 1942, the Central Government is pleased to make the following Order, namely:—

### **Non-Ferrous Metals Control Order, 1945.**

1. This Order may be called the Non-ferrous Metals Control Order, 1945.

2. In this Order, unless there is anything repugnant in the subject or context:—

(a) "Controller" means the Director-General of Munitions, Production and includes any Officer authorised by him to perform all or any of the functions of the Controller in respect of any non-ferrous metal he may specify under this Order;

(b) "non-ferrous metal" includes tin, lead, zinc, or spelter, copper, brass, antimony in the forms shown in schedules A and B attached to this Order;

(c) "producer" means any person including a manufacturer, but excluding any railway administration, who is habitually engaged in the production of any of the non-ferrous metals mentioned in schedule B of this Order, whose production in any one calendar month exceeds 5 tons;

(d) "importer" means any person excluding any railway administration who imports any non-ferrous metal into India;

(e) "form" means a form annexed to this Order.

3. (a) No person shall be a producer except under and in accordance with the conditions of a licence in form A granted by the Controller.

(b) No person shall be an importer except under and in accordance with the conditions of a licence in form B granted by the Controller.

4. The Controller may at any time cancel or modify any licence issued under this Order.

5. The Controller may at any time give general or special exemption from any part or parts of this Order.

6. The Controller may prescribe such additional forms and issue such instructions consistent with the provisions of this Order as he may consider necessary for carrying out the purposes of this Order.

7. (a) No person shall acquire or agree to acquire any non-ferrous metal from an importer or more than 10 cwts. of any non-ferrous metal in one calendar month from a producer unless he has prior to such acquisition or agreement made an application in form C to the Controller and has obtained a permit from the Controller in form D.



(b) No importer may dispose of any non-ferrous metal to any person who is not in possession of a valid permit in form D and no producer may dispose of more than 10 cwts. of any non-ferrous metal in any one calendar month to any one person who is not in possession of a valid permit in form D, provided that the total sales not covered by valid permits which any producer may make, shall not in any one month exceed 5 tons in the case of any individual non-ferrous metal.

(c) No person acquiring any non-ferrous metal in accordance with the terms of a permit in form D shall use the metal for any purpose other than the purpose specified in the permit.

8. Any Officer authorised by the Central Government in writing in this behalf may enter upon and inspect any premises in which he has reason to believe—

(a) that any non-ferrous metal is stocked;

(b) that any undertaking of the nature described in clause 3 is carried on.

9. Every person required to obtain a licence under clause 3 shall—

(a) not later than the seventh day of each calendar month submit to the Controller, a true return in form E of all quantities of non-ferrous metals in his possession or under his control and of all purchases and sales effected during the previous month;

(b) keep such books, accounts and other records relating to his stocks, sales or undertakings, as the Controller may direct;

(c) produce to any Officer authorised by the Controller in writing in this behalf such books, accounts or other records relating to his undertaking as may be demanded by the Officer aforesaid.

10. Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any non-ferrous metal in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to His Majesty.

11. Notwithstanding the supersession of the Non-Ferrous Metals Control Order, 1942 (in this clause referred to as the said Order)—

(a) any purchase permit issued under paragraph 6 of the said Order shall be valid for a period of two months from the date of this Order, after which date all such permits shall be deemed to have been cancelled;

(b) any offence under the said Order shall be triable and punishable as if the said Order were still in force.

#### FORM A.

Serial No.....

*Non-ferrous Metals Control Order, 1945.*

Licence to produce a non-ferrous metal.  
(Free of all fee.)

.....\*is/are licensed to produce—

*Tin.*—Ingot, Block, Whitemetal, Solder.

*Lead.*—Ingot, Pig, Antimonial lead, Whitemetal, Solder, Pipe, Tube, Sheet, Foil.

*Copper.*—Ingot and High conductivity wire, Strip, Tape.

*Zinc or Spelter.*—Ingot, Cake, Slab, Granulations.

*Antimony.*—Ingot.

subject to the conditions that the provisions of the Non-ferrous Metals Control Order, 1945, shall be observed.

*Controller of Non-ferrous Metals.*

Dated

194

\*Strike out words which are not applicable.

Non-ferrous Metals Control Order, 1945, to be printed in *extenso* on back of certificate.

**Licence No.**

(b) that he/they will charge for the material imported prices which shall be in accordance with instructions issued by the Controller.

**Dated**

194

### Schedule A.

*Tin.*—Foil. Wire.

*Lead.*—Collapsible tube, Wire.

**Copper.**—Sheet (including perforated, lithographic and highly polished), Foil, Pipe, Tube, Rod, Sections and scrap whether in ingot form or otherwise.

**Brass.**—Wire, Ingot, Sheet (including perforated), Pipe-Tube, Rod, Section and scrap whether ingot form or otherwise.

**Zinc or Spelter.**—Wire, Sheet (including perforated), lithographic and highly polished, Rod, Sections, Dross and hard zinc or spelter.

### Schedule B.

***Tin.***—Ingot, Block, Whitemetal, Solder.

**Lead.**—Ingot, Pig, Antimonial lead, Whitemetal, Solder, Pipe, Tube, Sheet, Foil.

**Copper.**—Ingot and High conductivity wire, Strip, Tape.

**Zinc or Spelter.**—Ingot, Cake, Slab, Granulations.

*Antimony.*—Ingot.

FORM C.

**APPLICATION FOR THE GRANT OF A CERTIFICATE TO ACQUIRE A NON-FERROUS METAL FROM A PRODUCER OR IMPORTER.**

I apply under clause 7(i) of the Non-ferrous Metals Control Order, 1945, for a certificate to acquire the metals detailed below :—

[illegible]

I agree that the metal released to me shall not be utilised for any purposes other than those stated above.

To the best of my knowledge and belief all the information given above is correct.

*Signature*.....

*Address*.....

Dated

194 .

**FORM D.**

Serial No.....

*Non-ferrous Metals Control Order, 1945.*

**FROM**

**THE CONTROLLER OF NON-FERROUS METALS,**

Directorate-General of Munitions Production,

6, Esplanade, East, Calcutta.

**To**

.....  
.....

Permit to purchase or otherwise acquire any non-ferrous metals.  
Reference your application, dated

You are hereby authorised to purchase or acquire the undernoted quantity of non-ferrous metals.

Description.	Quantity.	Purpose for which the metal is to be used.	Remarks.

(1) This permit is valid for the period ending only.  
It shall be returned by the permit-holder to the Controller at the expiry of the period or immediately after acquisition of the material whichever is earlier with the certificate below duly signed by the vendor.

(2) No permits will be issued for subsequent periods unless previous permits have been returned duly completed.

*Controller of Non-ferrous Metals.*

Dated

194 .

*Certificate to be signed by the vendor.*

Certified that the material mentioned in the above permit has been delivered at Rs. per cwt.

*Signature*

Name and licence No. of importer or manufacturer.

## FORM E.

Return of stocks of non-ferrous metals for the month of

194 .

Name.....

Address.....

Description of stocks.	Stocks held at the end of the preceding month as shown in the last return.		Stocks if any acquired during the month.		No. & date of authorisation to acquire Exp. No., Import licence No. or producer's licence No.	Total of items (2) and (3).		Stocks if any sold during the month under authorisation.		Stocks if any disposed of during the month other than under item (6).		Total of items (7) and (10).		Net stocks available at the end of the month.		The exact location of stocks.
	T.C.Q. Lbs.		T.C.Q. Lbs.	Price at which acquired.		T.C.Q. Lbs.		T.C.Q. Lbs.	No. & date of authori- sation.	Price at which sold.	T.C.Q. Lbs.	T.C.Q. Lbs.		T.C.Q. Lbs.		
1	2		3	4	5	6		7	8	9	10	11		12		13

Signature.....

Dated

194 .

Notification No. 130-M. I.(War)(1)/39, dated the 11th May, 1940 (published in the "Calcutta Gazette" of the 23rd May, 1940, Pt. IA, p. 159).

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

**Order.**

1. This Order may be called the Repairs to Ships Order, 1940.

2. (a) No person whose business or part of whose business is the repair, alteration or drydocking of ships shall carry out, or cause or permit to be carried out <sup>1</sup>[in the ports of Bombay, Calcutta, Madras or Karachi], repairs or alterations to, or the drydocking of, ships except in accordance with a licence granted by <sup>1</sup>[the Director-General, Ship Repairs and Ship Construction, or an officer authorised by him in this behalf]:

Provided that nothing in this Order shall apply to the repair, alteration or drydocking of—

(i) a ship belonging to, or chartered or requisitioned by, or on behalf of, His Majesty, or

(ii) a sailing ship, or

<sup>1</sup>Substituted by notification No. 130-M. I. W.(1)/39, dated the 4th July, 1942.

<sup>1</sup>(iii) a ship, not being a mechanically self-propelled vessel of 100 tons and overlying within the limits of the port of Calcutta, which does not ordinarily proceed to sea.

<sup>2</sup>(b) No shipowner or his Agent shall cause or permit to be carried out, in the ports of Bombay, Calcutta, Madras, Karachi, Cochin or Vizagapatam, repairs or alterations, to, or the drydocking of ships except by an approved repairer who has obtained a licence as stipulated in the preceding subparagraph.

3\*

\*

\*

\*

*Notification No. SS/229, dated the 10th September, 1943 (published in the "Gazette of India, Extraordinary" of the 15th September, 1943, p. 601).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. *Short title and extent.*—(1) This Order may be called the Sisal and Aloe Fibre Products Control Order, 1943.<sup>4</sup>

(2) It extends to the whole of British India.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context,—

(a) "Aloe" means any grade of aloe fibre;

(b) "articles to which this Order applies" means ropes, cordages, twines and any other goods made of Sisal or of Aloe or of both Sisal and Aloe;

(c) "Controller" means the officer appointed by the Central Government to be the Controller for the purposes of this Order;

(d) "Form" means a form appended to this Order;

(e) "manufacturer" means a person who manufactures for sale any of the articles to which this Order applies;

(f) "Sisal" means Sisal fibre of any grade.

3. *Control of manufacture and sale.*—On and after the 15th October, 1943,—

(a) no person other than a manufacturer registered under clause 4 shall manufacture for sale any of the articles to which this Order applies;

(b) no manufacturer registered as aforesaid shall sell or otherwise dispose of any such articles except under and in accordance with a sales licence issued to him under clause 4.

4. *Registration of manufacturers and issue of sales licences.*—(1) Any person who wishes to manufacture for sale any of the articles to which this Order applies shall on or before the 15th October, 1943, make an application to the Controller in Form I giving all the details required therein; and the Controller may, in his discretion, grant such person a registration certificate and sales licence in Form II.

(2) The Controller may at any time by order in writing communicated to the licence-holder by registered post alter or cancel the sales licence issued to him under sub-clause (1).

<sup>1</sup>Substituted by notification No. 457-(8)-CS(B)/43, dated the 18th December, 1944.

<sup>2</sup>Inserted by notification No. 130-M.I.W.(I)/39, dated the 4th October, 1944.

<sup>3</sup>The Schedule was omitted by notification No. 130-M.I.W.(I)/39, dated the 4th July, 1942.

<sup>4</sup>This order has since been repealed by notification No. SS/229, dated the 18th July, 1945.

5. *Returns*.—Any manufacturer shall on being required so to do by the Controller furnish true returns as to the quantities which he expects to manufacture of all or any of the articles to which this Order applies, and the quantities which he expects to be available for sale during any specified period.

6. *Supplementary*.—The Controller, and any other officer nominated in this behalf by the Controller or by the Central Government, may, if he has reason to believe that any person has contravened, is contravening, or is likely to contravene, the provisions of clause 3—

(a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand;

(b) inspect or cause to be inspected any books or documents belonging to, or under the control of any person;

(c) enter and search any premises.

17. *Refusal to give information and destruction of documents*.—If any person with intent to evade the provisions of this Order refuses to give any information lawfully demanded from him under clauses 5 and 6, or conceals, destroys, mutilates, or defaces any book or other documents, he shall be deemed to have contravened the provisions of this Order.

18. *Forfeiture of Stores*.—If any person contravenes the provisions of clause 3, any court trying such contravention may, in addition to any punishment to which it may sentence him, direct that the articles to which this Order applies and in respect of which the contravention has been committed, shall be forfeited to the Central Government.

#### FORM I.

(See clause 4.)

SISAL/ALOE/SISAL AND ALOE.

*Application for registration as a manufacturer of Sisal/Aloe/Sisal and Aloe articles.*

(To be submitted in duplicate to the Director-General of Supply, Textiles Directorate, New Delhi.)

No.....

Date.....

		Quantity.	
Tons.	Cwts.	Qrs.	Lbs.

1. Name & address of applicant.
2. Stock held on date of application.
3. Estimated quantity of Sisal/Aloe/Sisal & Aloe articles which the applicant expects to manufacture and make available for sale during the period.....
4. Names & addresses of persons to whom supply is intended.
5. Purpose for which the article(s) is/are required.

(Signed).....

Date.....

## FORM II.

(See clause 4.)

SISAL/ALOE/SISAL AND ALOE.

*Registration Certificate.*

(Place).....

Dated.....194....

Order No.

Reference your application No. , dated  
 You (Name & address) are hereby registered  
 as a manufacturer of Sisal/Aloe/Sisal and Aloe articles under the Sisal and  
 Aloe Fibre Control Order, 1943.

(Signed)

## SALES LICENCE.

You are hereby authorised to sell Sisal/Aloe/Sisal and Aloe articles up  
 to the maximum quantities and to the consumers and for the period as  
 specified below :

Serial No.	Names and addresses of consumers to whom sales under this licence are permitted.	Quantity.	Period for which this licence holds good.

(Signed).....

Dated.....

*Notification No. SS/229, dated the 10th September, 1943 (published in the "Gazette of India, Extraordinary" of the 15th September, 1943, p. 602).*

In exercise of the powers conferred by the Sisal and Aloe Fibre Control Order, 1943, the Central Government is hereby pleased to nominate the Controller of Supplies, Bengal Circle, Calcutta, to exercise all the powers exercisable by the Controller under clauses 4, 5 and 6 of the said Order.

*Notification No. P. & S. C. 10/44, dated the 29th January, 1944 (published in the "Gazette of India" of the 29th January, 1944, Pt. I, p. 110).*

Whereas it appears to the Central Government to be expedient, for securing the efficient prosecution of the war and for maintaining supplies essential to the life of the community, to prohibit certain transactions in spices :

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (I) This Order may be called the Spices (Forward Contracts Prohibition) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order,—

(i) “article to which this Order applies” means any of the spices specified in the first column of the Schedule to this Order;

(ii) “contract” means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of any article to which this Order applies;

(iii) “forward contract” means a contract for the delivery at some future date of any article to which this Order applies;

(iv) “specified date” in relation to any article to which this Order applies means the date specified against that article in the second column of the Schedule to this Order.

3. No person shall, after the specified date for any article to which this Order applies, enter into any forward contract in that article.

4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an Association relating to any contract,—

(1) every forward contract in any article to which this Order applies outstanding at the close of business on the specified date shall be deemed to be closed out at such rate as the Central Government may by notification in the official Gazette fix in this behalf, and different rates may be fixed for different classes of contracts;

(2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;

(3) payment of all differences legally due from a member of an Association to another member of such Association in respect of any forward contract closed out under this clause shall be made to the Clearing House of the Association and for the purposes of calculating such differences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be the settlement rate fixed by the Association under its bye-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.

5. The Central Government may, by notification in the official Gazette, exclude any contract or class of contracts from the provisions of this Order.

### The Schedule.

(See clause 2.)

Articles to which this Order applies.	Specified date.
1. Betelnuts .. .. . 2. Cardamom .. .. . 3. Chillies .. .. . 4. Cinnamon .. .. . 5. Cloves .. .. . 6. Ginger .. .. . 7. Pepper .. .. . 8. Turmeric .. .. . 9. Nutmegs .. .. .	2nd February, 1944.



*Notification No. P. & S. C. 10(B)/44, dated the 3rd February, 1944 (published in the "Gazette of India, Extraordinary" of the 3rd February, 1944, p. 83).*

In pursuance of sub-clause (1) of clause 4 of the Spices (Forward Contracts Prohibition) Order, 1944, the Central Government is pleased to direct that every forward contract in any article to which the said Order applies outstanding at the close of business on the 2nd February, 1944 (not being a forward contract exempted under clause 5 of the said Order), shall be deemed to be closed out at the market rate applicable to such contract at the close of business on the 2nd February, 1944.

*Notification No. P. & S. C. 10(A)/44, dated the 29th January, 1944 (published in the "Gazette of India" of the 29th January, 1944, Pt. I, p. 111).*

In exercise of the powers conferred by clause 5 of the Spices (Forward Contracts Prohibition) Order, 1944, the Central Government is pleased to exclude the following classes of contracts from the provisions of the said Order, namely:—

1. Forward contracts for specific qualities or types of any article to which the said Order applies, and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

2. All contracts for the delivery at some future date of any article to which the said Order applies to Government or any authorised officer of Government.

*Notification No. A755, dated the 29th December, 1942 (published in the "Calcutta Gazette" of the 28th January, 1943, Pt. IA, p. 17).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Typewriter Control Order, 1943.

(2) It applies to typewriters of the makes specified in Schedule I.

(3) It extends to the whole of British India.

(4) It shall come into force on the second day of January, 1943.

2. In this Order, unless there is anything repugnant in the subject or context—

(a) "Controller" means the Controller of Printing and Stationery, India, and includes any officer authorised by him to exercise all or any of the powers conferred on the Controller by this Order;

(b) "dealer" means a company specified in Schedule II and includes every branch and agent of such company;

(c) "forms" means a Form set forth in Schedule III;

(d) "schedule" means a Schedule to this Order;

(e) "typewriter" means a typewriter machine to which the Order applies and includes parts from which such machines can be assembled.

3. (1) No dealer shall, except in pursuance of a direction given under clause 5, sell or otherwise dispose of a typewriter to any person or authority except on presentation of a permit in Form A granted by the Controller.

(2) Such permit shall be issued in duplicate and shall be valid for a period of 90 days from the date of issue.

(3) On completion of purchase the purchaser and dealer shall comply with the Instruction set out in the said Form.

(4) Nothing in this clause shall apply to sales to or under order placed by the Central Stationery Officer, Calcutta.

4. Applications for permits under clause 3 shall be made in Form B to an officer authorised by the Provincial Government in this behalf.

5. Any dealer whom the Controller directs in writing to sell or otherwise dispose of a typewriter to a particular person or authority shall comply with such direction.

6. The Controller may enter upon and inspect any premises in which typewriters are or are reasonably believed to be assembled, kept for sale or sold.

7. Any dealer shall if so required by the Controller submit a return in the form required by the Controller giving details of his stocks, receipts and deliveries of typewriters.

### **SCHEDULE I.**

[See clause 1(2).]

*Makes of typewriters to which this Order applies.*

- |               |  |
|---------------|--|
| 1. Remington. | 14. Hermes.                            |
| 2. Underwood. | <sup>2</sup> [5. L. C. Smith & Corona. |
| 3. Royal.     | 6. Woodstock.]                         |

### **SCHEDULE II.**

[See clause 2(b).]

#### **Dealers.**

1. Messrs. Remington Rand Inc., 3, Council House Street, Calcutta.
2. Messrs. Blackwood Bryson and Co., Ltd., 2, Mangoe Lane, Calcutta.
3. Messrs. Latham Abercrombie and Co., Ltd., Bombay.
4. Messrs. Roneo, Ltd., 9, Mission Row, Calcutta.
5. Messrs. Addison and Co., Ltd., Mount Road, Madras.
- <sup>1</sup>6. Messrs. Volkart Brothers.
- <sup>2</sup>[7. Messrs. Continental Commercial Co., Calcutta.
8. Messrs. Typewriter & Office Appliance Co., Ltd., Madras.
9. Messrs. Reliable Typewriter Co., Karachi.
10. Messrs. Typewriter Mart, Madras.
11. Messrs. C. J. Shah & Co., Bombay.
12. Messrs. Office Appliance Corporation, Bombay.]

---

<sup>1</sup>Inserted by notification No. A755, dated the 18th May, 1944.

<sup>2</sup>Inserted by notification No. A755, dated the 27th March, 1945.

**SCHEDULE III.****FORMS.**

[See clause 2(c).]

**Form A.***The Typewriter Control Order, 1943.*

(See clause 3.)

**PERMIT.**

Date up to which valid 194 .

Subject to the provisions of the Typewriter Control Order, 1943  
 .....is/are hereby authorised to purchase.....: typewriter(s) specified below:—

Make.....

Model No.....Size.....

Date.....194....

*Controller of Printing and Stationery, India.**Instruction.*

This permit is issued in duplicate. On completion of purchase the purchaser shall hand over to the dealer both copies after signing his name on those copies in the space provided for the purpose. The dealer shall retain one copy and forward the duplicate to the Controller after signing his name in the space provided for the purpose.

Date.....194....

*Signature of purchaser.*

Date.....194....

*Signature of dealer.***Form B.***The Typewriter Control Order, 1943.*

(See clause 4.)

*Application to purchase a typewriter.*

1. Name.
2. Address.
3. Profession.
4. Detailed purpose for which the typewriter is required.
5. Whether the typewriter is required as (a) replacement of existing machine, (b) addition or (c) initial supply. If (a), state No., make, model and age of the machine to be replaced and why and how it will be disposed of. If (b) or (c), give full justification.
6. Whether the typewriter is required for work directly connected with the war effort. If so, give name(s) of Government department(s) which can notify essentiality of the demand.
7. Make and size of typewriter desired to be purchased and whether standard or portable.

---

<sup>1</sup>Substituted by notification No. A755, dated the 27th March, 1945.

8. Whether the applicant has sold or otherwise disposed of any typewriter(s) since 1st January, 1943. If so, give particulars of such sale or disposal and state why the machine/machines was/were not retained for use.

9. Number and description of typewriters already owned by the applicant.

Date.....194....

Station.

*Signature of the applicant.*

I hereby undertake not to sell or otherwise dispose of, without the approval of the Controller of Printing and Stationery, India, the typewriter(s) that may be purchased by me under a permit granted on this application.

Date.....194....

Station.

*Signature of the applicant.*

*Notification No. 79, dated the 8th March, 1941 (published in the "Calcutta Gazette" of the 20th March, 1941, Pt. 1A, p. 145).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Undertaking (Charges and Accounts) Order, 1941.

(2) It shall come into force at once.

2. Where by an order made under clause (c) of sub-rule (2) of rule 81 of the Defence of India Rules any work is required to be done by an undertaking, the charges which may be made by the undertakers in respect of the doing of the work shall, in default of agreement with the undertakers, be fixed by order of the Central Government or of an officer authorised by the Central Government in this behalf.

3. An appeal shall lie from an order made under paragraph 2 to an authority appointed in this behalf by the Central Government, which shall in deciding the appeal comply with any directions given to it by the Central Government as to the principles to which it shall have regard, and as to any supplementary matters for which it is in the opinion of the Central Government necessary or expedient to provide.

4. <sup>1</sup>(1) In this paragraph, "authorised Officer" means any of the following:—

- (i) a Director-General or Deputy Director-General in the Department of Supply;
- (ii) a Chief Controller of Purchase;
- (iii) the Chief Director of Purchase (Food Department);
- (iv) any officer of the Supply Finance Branch or the Food Finance Branch, including a cost Accounts Officer and Assistant Cost Accounts Officer;
- (v) the Textile Commissioner;
- (vi) the Additional Textile Commissioner;

(vii) any officer of the Finance Department (O. B.) attached to the Textile Commissioner including a Cost Accounts Officer and Assistant Cost Accounts Officer.

(2) Any person carrying on, or employed in connection with, an undertaking by which work is required to be done as aforesaid, shall, if required to do so by the authorised officer,—

- (a) produce to the authorised officer any books, accounts and records relating to the undertaking;
- (b) furnish to the authorised officer such information relating to the accounts or the financial position of the undertaking as he may require;
- (c) keep such books, accounts or records as the authorised officer may direct, being books, accounts or records the keeping of which is in the opinion of the authorised officer necessary to enable the fair determination of charges in respect of the doing of work by the undertaking;

and the authorised officer may take or cause to be taken copies of or extracts from any books, accounts or records produced or kept under the provisions of this paragraph.

*Notification No. 665, dated the 19th April, 1941 (published in the "Calcutta Gazette" of the 1st May, 1941, Pt. 1A, p. 212).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order, namely:—

1. This Order may be called the Motor Truck Control Order, 1941.
2. In this Order—

“competent authority” means—

in the City of Bombay, the District Commander, Bombay,  
in the Punjab, the District Commander, Lahore or Rawalpindi,  
in the North-West Frontier Province, the District Commander,  
Peshawar,

in British Baluchistan, the District Commander, Quetta, or the  
Brigade Commander, Chaman,

in the Province of Delhi, the Brigade Area Commander, Delhi,

and includes any officer authorised by the District Commander or, as the case may be, the Brigade Area Commander or the Brigade Commander, in this behalf;

“motor truck” means a motor truck chassis, whether fitted with a body or not, of the following description, namely, Ford or Chevrolet 158/160" wheelbase, heavy duty type.

3. No motor truck shall be removed from any works or place of assembly in the City of Bombay without a permit in writing from the competent authority.

4, 5. [Omitted by notification No. 708, dated the 26th April, 1941.]

*Notification No. CDN/32(12)D.—1, dated the 26th May, 1941 (published in the "Calcutta Gazette" of the 5th June, 1941, Pt. 1A, p. 274).*

• In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is hereby pleased to direct that all holders of stocks of the following chemical substances (whether in liquid or in solid form), namely:—

Sodium bichromate,

Potassium bichromate,

Chrome alum, or any proprietary compound of similar chemical composition,

(i) shall not use, sell, exchange, move or otherwise dispose of the aforesaid chemical substances in their possession or keeping:

Provided that holders of stocks of the said chemical substances may themselves use such quantity of any of the said chemical substances directly required for the execution of current Government war contracts;

(ii) shall submit in writing to the Director of Chemicals, Department of Supply, Government of India, New Delhi, by 10th June 1941 a statement of all stocks of the aforesaid chemical substances in their possession or keeping and all stocks in the course of delivery or on order.

2. The Central Government is further pleased to direct that all manufacturers of all or any of the substances specified in paragraph 1 above, shall declare in writing to the officer and by the date specified in subparagraph (i) of paragraph 1 above, their monthly manufacturing capacity and actual or estimated monthly outturn of all or any of the said substances.

*Notification No. 457-C.S.(B)(8)/43, dated the 9th October, 1943 (published in the "Gazette of India" of the 5th October, 1943, Pt. 1, p. 1097).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Wireless Sets Control Order, 1943.

(2) It extends to the whole of British India.

2. In this Order—

(a) "dealer" means any person engaged in the business of retail sale of wireless sets;

(b) "distributor" means any person, other than a dealer or a selected importer, who is engaged in the business of selling wireless sets;

(c) "Form" means a Form annexed to this Order;

(d) "Schedule" means a Schedule annexed to this Order;

(e) "Scheduled wireless set" means a wireless set of any of the descriptions given in column (1) to the First Schedule, which has been imported by the Central Government from the United States of America, and sold by them to any selected importer;

(f) "selected importer" means any person whose name is included in the Second Schedule;

(g) "wireless set" means a complete wireless reception instrument with or without a cabinet, and includes a set of component parts capable of being assembled into a complete wireless reception instrument.

3. Every person carrying on any business which involves the import, manufacture, distribution, sale or disposal of wireless sets shall submit to the Secretary to the Government of India in the Department of Industries and Civil Supplies so as to reach him on or before the 7th November, 1943, a true return in the manner set out in Form A of the wireless sets owned or possessed by him in the course of that business on the 31st October, 1943.

3A. No selected importer shall without the permission in writing of an officer authorised in this behalf by the Central Government, refuse to distribute Scheduled wireless sets through any distributor through whom he or any other importer whose rights he has acquired, was regularly distributing wireless sets before the commencement of this Order.

4. No dealer shall sell, or offer for sale, a Scheduled wireless set, except at the price specified in respect of such set in column (2) of the First Schedule.

5. Every selected importer and every distributor or dealer who at any time in the course of his business owns, possesses or has dealings in respect of a Scheduled wireless set, shall maintain records and accounts in such a way as to show clearly:—

- (a) the make, model and other descriptions of each such set owned or possessed by him or in respect of which he had dealings in the course of his business;
- (b) the full names and addresses of the persons from whom in course of his business he purchased or received and to whom he disposed of, each such set;
- (c) the price, commission charges or any other consideration given or received by him in the course of his business in respect of each such set referred to in clause (a).

6. Every selected importer and every distributor or dealer who at any time in the course of his business owns, possesses or has dealings in respect of a Scheduled wireless set shall submit to the Secretary to the Government of India in the Department of Industries and Civil Supplies so as to reach him by the 15th of each month commencing on the 15th December, 1943, a statement in Form 'B' of the sales of Scheduled wireless sets sold by him during the preceding month.

7. Every dealer who at any time in the course of his business owns, possesses or has dealings in respect of a Scheduled wireless set shall conspicuously display in his shop a list showing the descriptions and prices of wireless sets specified in the First Schedule.

8. No dealer shall sell more than one Scheduled wireless set to any one person.

9. No person shall buy more than one Scheduled wireless set from any dealer; and no person who has bought a Scheduled wireless set from any dealer shall buy any other Scheduled wireless set from any other dealer.

10. No person shall possess more than one Scheduled wireless set:

Provided that nothing contained in this clause shall be deemed to prohibit the possession of more than one Scheduled wireless set by a selected importer, distributor or dealer as such in the course of his business.

11. Any officer authorised by the Central Government in writing in this behalf may, for the purpose of ascertaining whether or not any person is fulfilling the obligations imposed on him by this Order—

- (a) require any selected importer, distributor or dealer to submit to him such accounts, books, or other documents or to furnish him with such information as he may reasonably think necessary, or

(b) enter and search any premises occupied by any selected importer, distributor or dealer and require any person found therein who is for the time being in charge thereof to produce to him and to allow him to examine such accounts, books or other documents as may relate to the business carried on in the premises by the selected importer, distributor or dealer or to furnish to him such information relating to the business as he may reasonably think necessary:

'Provided further that nothing in this clause or in clauses 8 and 9 shall prevent a dealer from selling more than one Scheduled wireless set to any person who carries on the business of lending wireless sets on hire, or any such person from purchasing and possessing more than one scheduled wireless set.

### First Schedule.

[Vide clauses 2 (e) and 4.]

*Description of sets by make and model.*

[Not printed here.]

### Second Schedule.

[Vide clause 2 (f).]

[Not printed here.]

### FORM A.

(See clause 3.)

To

The Secretary to the Government of India,  
Department of Industries and Civil Supplies,  
New Delhi.

By *Statement of wireless sets owned on* *1943.*

..... (Insert name and address of person or company making the declaration).

.....

.....

Description of person or company making the declaration. Importer or Manufacturer. (Cross out whichever is inapplicable).

Distributor.

Dealer.

Name of importer or manufacturer from whom supplies are normally received. (To be filled in by Distributors and Dealers only.)

.....

.....

No. of sets.	Full name of maker of set.	Full description of model.	Name and address of person in whose possession the sets were on 1943.	Full address at which the sets were stored on 1943.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)

I hereby declare that the above is a true statement of the sets owned or possessed by me on 31st October, 1943, in the course of my business.

Dated

1943.

(Signature.)

<sup>1</sup>Inserted by notification No. 457-(8)-C.S.(B)/43, dated the 18th December, 1943.



## FORM B.

(See clause 6.)

To

The Secretary to the Government of India,  
Department of Industries and Civil Supplies,  
New Delhi.

Return of Scheduled wireless sets sold in the month of

1943.

By

..... (Insert name and address of  
..... person or company making  
..... the declaration.)

Description of person or company making the declaration.      Importer or Manufacturer. (Cross out whichever is  
Distributor.      inapplicable.)  
Dealer.  
Name of importer or manufacturer from whom supplies are normally received.      (To be filled in by Distributors and Dealers only.)

No. of sets.	Full name of maker.	Full description of model.	Full name and address of person to whom sold.	Remarks.
(1)	(2)	(3)	(4)	(5)

I hereby declare that the above is a true and complete statement of the Scheduled wireless sets sold by me during the month of 194 .

(Signature.)

Notification No. A.-826, dated the 9th April, 1942 (published in the "Calcutta Gazette" of the 30th April, 1942, Pt. IA, p. 339).

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order:—

A licensee or Local Authority, engaged in the business of supply of electrical energy as defined in the Indian Electricity Act, 1910, but not including a person operating under section 28 of the said Act, shall not, save with the written permission of the Electrical Commissioner with the Government of India, dispose of or enter into any commitment to dispose of any of the following:—

- (1) Generators, exceeding 10 kilowatts maximum continuous rating and any prime mover associated therewith whether steam, oil or water-driven.
- (2) Boilers.
- (3) Transformers having a capacity in excess of 5 K.V.A.
- (4) Switchgear and Distribution equipment suitable for operation on any voltage in excess of 2,000 volts.
- (5) Steel tubular poles.

(6) Cables or wires of any description whether insulated or bare other than such short pieces which form part of domestic appliances.

(7) Insulators suitable for operation at any voltage in excess of 2,000 volts.

(8) Voltmeters, Ammeters, Wattmeters, Watthour-meters, Amperehour-meters and Maximum Demand Indicators.

*Notification No. A. 826, dated the 14th June 1943 (published in the "Calcutta Gazette" of the 1st July, 1943, Pt. 1A, p. 248).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the order of the Government of India in the Department of Labour No. A.826, dated the 12th June, 1943, the Central Government is pleased to make the following Order:—

1. Notwithstanding anything contained in the Indian Electricity Act, 1910 (IX of 1910), or any licence granted thereunder or any agreement for a supply of electrical energy, a licensee under the said Act, upon whom a copy of this Order is served by the Electrical Commissioner with the Government of India shall be entitled to discontinue or reduce, and shall when required in writing so to do by the appropriate authority, discontinue or reduce the supply of electrical energy to any consumer, other than a distributing licensee, who without the permission of the appropriate authority—

(a) contravenes any direction given him under paragraph 2 of this Order; or

(b) where no such direction has been given him,—

(i) exceeds or has exceeded in any month the maximum demand recorded in respect of him during the twelve months ending the 31st January, 1943, or

(ii) has connected load beyond that notified in writing to the licensee up to the 31st January, 1943, under the terms of the licence:

Provided that the licensee shall—

(i) before discontinuing the supply give to the consumer not less than 36 hours' notice in writing of his intention so to do;

(ii) notify the appropriate authority without delay, stating the circumstances of the discontinuance;

(iii) reconnect the supply with all reasonable speed on being so directed by the appropriate authority.

2. The appropriate authority may by notice in writing direct any person to reduce his consumption of electrical energy to such extent and in such manner or by such means as may be specified in the notice: and such person shall comply with such directions. The appropriate authority shall at the same time serve a copy of the notice on the licensee concerned.

3. In this Order, "appropriate authority" means—

(i) in respect of a consumer whose present or prospective total maximum demand exceeds 50 kilowatts, the Central Electric Power Control Board or if the Central Government by general or special order so directs, the Electrical Commissioner with the Government of India, and

(ii) in respect of other consumers, the Provincial Government of such authority as the Provincial Government may by general or special order authorise in this behalf.

*Notification No. A. 826 (1), dated the 14th June, 1943 (published in the "Calcutta Gazette" of the 1st July, 1943, Pt. IA, p. 247).*

In pursuance of sub-clause (i) of clause 3 of this Department Order No. A.826, dated the 14th June, 1943, under rule 81 of the Defence of India Rules, the Central Government is pleased to direct that in the Province of Bengal the Electrical Commissioner with the Government of India shall be the "appropriate authority" under the said Order in respect of every consumer whose present or prospective total maximum demand exceeds 50 kilowatts.

*Notification No. CG-604/55, dated the 16th August, 1943.*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to repeal all Orders made under the said rule by the Regional Commissioner, Eastern Region, in virtue of the powers delegated to him under the notification of the Government of India in the Defence Department No. 5-DC(28)/1/43, dated the 18th May, 1943:

Provided that the repeal shall not affect any penalty, forfeiture or punishment incurred in respect of any contravention of the said Orders; or any investigation or legal proceeding in respect of any such contravention.

*Notification No. 91-C. W. (10)-43, dated the 1st September, 1943 (published in the "Calcutta Gazette" of the 16th December, 1943, Pt. IA, p. 343).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following order, namely:—

1. No person shall transport, or cause to be transported, or offer for transport, by rail any of the goods specified in the Schedule hereto annexed from any station in British India to any station in Baluchistan beyond Nushki on the line to Nok-Kundi or beyond Yaru on the line to Chaman, except—

- (a) under a written permit granted by the Revenue Commissioner in Baluchistan or the land customs officers at Nok-Kundi and Chaman in this behalf, or
- (b) in respect of any consignments of tea, intended for export over the land frontiers to places outside India under a written permit granted by the Tea Controller for India, or
- (c) in respect of any goods intended for local consumption in Baluchistan under a written permit granted by the Political Agent at Chagai or by the Political Agent at Quetta-Pishin, according as the consignment is intended for a station on the line to Nok-Kundi or for a station on the line to Chaman, or
- (d) in respect of any consignments of tea, cotton piece-goods and canned and bottled provisions intended for the railway grain-shops, under a written permit granted by the Controller of Stores, North Western Railway, Lahore.

2. Nothing in this order shall apply to the transport by rail of any goods which form part of the personal luggage of a *bona fide* traveller.

**Schedule.**

1. Tea.
2. Cotton piece-goods.
3. Glass and glassware, all sorts.
4. Silk yarn and manufactures, all sorts, including silk hosiery.
5. Woollen manufactures including woollen yarn and hosiery.
6. Bicycles and parts thereof.
7. Motor tyres and tubes.
8. Drugs and medicines.
9. Canned and bottled provisions.
10. Leather manufactures.

*Notification No. 129-C(4)/44, dated the 30th September, 1944 (published in the "Gazette of India" of the 30th September, 1944, Pt. I, p. 1274).*

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct as follows:—

1. (1) The price of all Portland Cement other than that manufactured by the Assam Bengal Cement Co., Ltd., shall not exceed Rs. 70 per ton in full wagon loads f.o.r. destinations except—

(a) stations situated on the Bengal and Assam Railway, supplies to which are on an f.o.r. Calcutta basis; and

(b) river stations in Bengal and Assam, supplies to which are on an f.o.b. Calcutta basis.

(2) In making supplies to the stations mentioned in clauses (a) and (b) of sub-paragraph (1) of paragraph 1, the following additional charges may be added to the maximum f.o.r. price permitted by sub-paragraph (1) of paragraph 1 depending upon the mode of supply adopted:—

	Per ton.
	Rs. a. p.
(i) For supplies taken ex-godown by the buyer making his own arrangements in regard to movement by rail, road and/or river .. .. .	3 12 0
(ii) For supplies in full wagon loads f.o.r. Calcutta at Selling Agent's Depot .. .. .	5 0 0
(iii) For supplies f.o.b. Calcutta Ghat .. .. .	7 8 0
(iv) For supplies in small quantities f.o.r. Calcutta at rail goods terminals .. .. .	11 0 0

(3) Retail prices shall not exceed the maximum f.o.r. destination prices mentioned in sub-paragraphs (1) and (2) of this paragraph as the case may be, by more than the amount which it would be permissible for the seller to charge under the normal practice authorised heretofore by the Cement Marketing Company of India, on such and f.o.r. price. In charging such a price the seller shall take into consideration the expenditure on items such as, cost of unloading of wagon, cartage from station to godown, stocking in godown, godown rent, wastage and profit margin of the seller:

Provided that wagon load as well as retail prices mentioned in sub-paragraphs (1) to (3) of this paragraph being for supplies ex-nearest Works, in the case of sales of wagon loads as well as retail sales the sellers may in addition to such prices charge extra for proportionate freight difference if supplies were actually made from a more distant Works. Where an area has to be supplied frequently from Works, other than the nearest, it shall

be permissible to add in addition to the aforesaid prices an averaged amount for freight difference on all supplies whether from the nearest factory or a more distant factory :

Provided also that in case of all sales (wagon loads or smalls) the sellers' shall be entitled to charge in addition to the aforesaid wagon load and retail prices extra for general or special increase in freight after the date of this Order, for octroi, town duty, terminal tax, sales tax or any other charge levy or imposition payable by the sellers.

2. No person shall possess, purchase or offer to purchase, sell or offer to sell any cement unless authorised in writing to do so by the Honorary Cement Adviser to the Government of India or by a Regional Honorary Cement Adviser to the Government of India or, in the case of possession and/or purchase unless the possessor or purchaser has been authorised to do so by a person himself duly authorised by the Honorary Cement Adviser or the Regional Honorary Cement Adviser to the Government of India :

Provided that nothing in this clause shall apply to the possession by any person of cement not exceeding five bags.

*Notification No. Econ. Ad. (P. C.) 7/41, dated the 5th December, 1941 (published in the "Calcutta Gazette" of the 25th December, 1941, Pt. IA, p. 662).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that wheat shall not be sold in wholesale quantities at any place specified in the second column of the Table hereto annexed at a price higher than that specified in the corresponding entry in the third column of the said Table.

TABLE.

Serial No.	Place.	Maximum price for wheat.
1	2	3
(1) Lyallpur .. .. .		Rs. 4-6-0 per maund of 82 $\frac{1}{2}$ lbs.
(2) Hapur .. .. .		Rs. 4-6-0 per maund of 82 $\frac{1}{2}$ lbs.
(3) Any place other than Lyallpur & Hapur		Such price as the Provincial Government may determine, having regard to the normal relation between prices at such place and at Lyallpur or Hapur.

*Notification No. Econ. Ad. (P. C.) 16/41, dated the 16th January, 1942 (published in the "Calcutta Gazette" of the 12th February, 1942, Pt. IA, p. 120).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that articles specified in column 1 of the First Schedule hereto annexed shall not be sold by any Paper Mill in wholesale quantities to any dealer or other person at prices (f.o.r.) higher than those specified in column

2 of the said Schedule for deliveries at any of the places mentioned in the Second Schedule hereto annexed.

### First Schedule.

	Price per pound.	
	As.	Ps.
1. Bleached woodfree MF writing and MF printing paper 14 lbs. demy and above, including pulp boards but excluding blotting paper .. ..	6	6
2. Brown wrapping and cartridge paper 22 × 29-30 lbs. and above .. ..	5	9
3. Ordinary badami paper 14 lbs. demy and above .. ..	5	11

#### Additional Prices.

(a) For Coloured MF printings and pulp boards .. ..	1	0
(b) For light weights—foregoing qualities under 14 lbs. demy .. ..	1	0

### Second Schedule.

(Area A.)

#### *Bengal & Assam.*

Amingaon, Asansol, Ashaura, Baripada, Barisal, Burdwan, Chittagong, Cooch Behar, Cuttack, Dacca, Dibrugar, Gaibandha, Gauhati, Khulna, Manipur Road, Mirkadim, Mymensingh, Narayanganj, Noakhali, Raniganj, Silchar, Siliguri, Sirajgunj Bazar, Sylhet, Tarpassa.

(Area B.)

#### *Bihar & Orissa.*

Arrah, Bhagalpur, Chaibassa, Darbhanga, Gaya, Laheriasarai, Monghyr, Muzaffarpur, Patna, Purulia, Ranchi, Tatanagar.

(Area C.)

#### *United Provinces, Central India and Central Provinces.*

Akola, Allahabad, Amraoti, Balaghat, Benares, Bhopal, Bilaspur, Bina, Cawnpore, Chanda, Chhindwara, Damoh, Fyzabad, Gondia, Gorakhpur, Harda, Hardwar, Indore, Itarsi, Jhansi, Jubbulpore, Kamptee, Katni, Khamgaon, Khandwa, Lucknow, Nagpur, Pryag, Rai Bareilly, Raipur, Raj Nandgaon, Satna, Saugor, Seoni, Tumsar Road, Wardha.

(Area D.)

#### *Delhi Area.*

Agra, Aligarh, Bareilly, Buduan, Bulandshahar, Delhi, Gwalior, Hathras, Jaipur, Meerut, Moradabad, Muttra, Rampur, Muzaffarnagar, Shahjehanpur.

(Area E.)

#### *Rajputana.*

Ajmer, Beawar, Jodhpur, Kishengarh, Kotah, Ujjain.

(Area F.)

#### *Punjab and N. W. F. Provinces.*

Ambala, Amritsar, Dehra Dun, Ferozpur, Gujarkhan, Hoshiarpur, Jullundur, Lahore, Ludhiana, Lyallpur, Multan, Peshawar, Rawalpindi, Sargoda, Seharanpur, Sailkot.

(Area G.)

#### *Sind.*

Karachi.

(Area H.)

*Bombay Presidency.*

Bombay, Poona.

(Area I.)

*Hyderabad (Deccan).*

Nander, Nizamabad, Secunderabad, Warrangal.

(Area J.)

*West Coast.*

Calicut, Cannanore, Cochin, Coimbatore, Ernakulam, Mangalore Out-agency, Palghat, Tellichery, Trichur.

(Area K.)

*Madras.*

Anantapur, Bangalore, Bellary, Dindigul, Katpadi, Kumbakonam, Kurnool, Madras, Madura, Mysore, Nellore, Ongole, Salem, Tanjore, Trichinopoly.

In these rules, "Government Agent" means any person or firm employed under section 6 to act as agent of the Central Government for any of the purposes of the Ordinance.

*Notification No. Econ. Ad. (P. C.) 230/42, dated the 12th March, 1942 (published in the "Calcutta Gazette" of the 26th March, 1942, Pt. I A, p. 292).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall sell, in wholesale quantities, lac of the kind and quality specified in the second column of the Table hereto annexed at any place specified in the corresponding entry in the third column of the said Table at a price higher than that specified in the corresponding entry in the fourth column of the said Table.

TABLE.

Serial No.	Kind and quality of lac.	Place.	Maximum price.
(1)	(2)	(3)	(4)
1	Shellac T. N. ..	Calcutta ..	Rs. 66-8 per maund of 82 2/7 lbs.
2	Shellac T. N. ..	Any other place ..	Such price as the Provincial Government may determine having regard to the normal relation between the prices at such place and at Calcutta.
3	Any quality of button lac, garnet lac or Shellac other than Shellac T. N.	Calcutta and any other place.	Such price as the Provincial Government may determine having regard to the normal relation between the prices of such kind or quality of lac and Shellac T. N.

*Notification No. Econ. Ad. (P. C.) 210/42, dated the 13th March, 1942 (published in the "Calcutta Gazette" of the 23rd April, 1942, Pt. I A, p. 333).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that boxes or booklets of matches made in India of the size specified in the second column of the Table hereto annexed shall not be sold in retail quantities at a price higher than that specified in the corresponding entry in the third column of the said Table—

TABLE.

Serial No.	Size of match boxes or booklets.	Maximum price.
1	2	3
1	Containing on an average not more than 40 matches.	1½ pice per box or booklet.
2	Containing on an average more than 40 but not more than 50 matches.	2 pice per box or booklet.
3	Containing on an average not more than 80 matches.	3 pice per box or booklet.

*Notification No. 270(1)-Tr. (I.E.R.)/42, dated the 26th May, 1942 (published in the "Calcutta Gazette" of the 23rd July, 1942, Pt. I A, p. 652).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall sell, in wholesale quantities, raw rubber of the grade and quality specified in the second column of the Table hereto annexed at any place specified in the corresponding entry in the third column of the said Table at a price higher than that specified in the corresponding entry in the fourth column of the said Table:—

TABLE.

[Not printed here.]

*Notification No. SS-509(1)/43, dated the 13th August, 1943 (published in the "Gazette of India" of the 21st August, 1943, Pt. I, p. 918).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct the owner of every sugar factory in British India to submit to the Director, Imperial Institute of Sugar Technology, Cawnpore, a return in the form



given below for each calendar month throughout the working season of the factory, so as to reach the said Director not later than the 10th day of the next month :—

**Form.**

*Monthly return of stock and consumption of Sulphur.*

Season 194      -194      .      For the month of.....

Private No. of Factory.....

Clarification process used.....

Quantity of cane crushed.....mds.

Serial No.	Particulars.	Refined Sulphur (Maunds).	Baluchistan Ore. (Maunds).
1	Stock of sulphur at factory at the end of preceding month.		
2	Stock of sulphur elsewhere at the end of the preceding month.		
3	Quantity acquired during the month      ..      ..		
4	Quantity consumed during the month      ..      ..		
5	Closing stock of sulphur at factory      ..      ..		
6	Closing stock of sulphur elsewhere      ..      ..		
7	Consumption of sulphur per 100 mds. of cane crushed ..		

Place

Signature of owner

Date

or other authorised person.

*Notification No. N. 113/43, dated the 6th November, 1943 (published in the "Calcutta Gazette" of the 18th November, 1943, Pt. IA, p. 332).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall sell newsprint—

- (a) if in reels, at a price higher than 6 annas per lb. at any customs port or 6½ annas per lb. at any other place;
- (b) if in sheets, at a price higher than 7½ annas per lb. at any customs port or 8 annas per lb. at any other place.

*Notification No. TCS10(1), dated the 1st January, 1944 (published in the "Gazette of India" of the 1st January, 1944, Pt. I, p. 4).*

In exercise of the powers conferred on the Central Government by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and by virtue of the delegation by the Central Government by notification No. 203-Tex(B)/43(ii), dated the 1st October, 1943, to the Textile Commissioner, Bombay, of all such powers as aforesaid, the Textile Commissioner,

in supersession of his notification No. TCS10(1), dated the 30th October, 1943, hereby fixes the maximum price at which the following kinds of Hydrosulphite of Soda may be sold until further orders:—

Description.	Maximum price per lb.
	Rs. a. p.
(1) Hydrosulphite of Soda imported from the United Kingdom	1 9 0
(2) Hydrosulphite of Soda imported from any country other than the United Kingdom.	1 9 0

Provided that in the case of imports falling under item No. 2 permission will be granted to an importer on his application who can prove that his landed cost is in excess of Rs. 1-4-6 per pound to sell at a price not exceeding 20 per cent. above his landed cost.

*Notification No. 51-Tex (A)/44, dated the 25th March, 1944 (published in the "Gazette of India" of the 25th March, 1944, Pt. I, p. 338).*

In exercise of the powers conferred on the Central Government by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules and delegated to me by the order of the Government of India in the Department of Industries and Civil Supplies, I hereby direct that no person shall sell or offer to sell any of the following kinds of dyes at more than the maximum price specified below:—

*[The kinds of dyes with their prices not printed here.]*

*Notification No. 200-TA/43, dated the 14th June, 1944 (published in the "Gazette of India" of the 17th June, 1944, Pt. I, p. 800).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and delegated to me by the order of the Government of India in the Department of Industries and Civil Supplies, No. 200-Tex.(B)/43, dated the 9th October, 1943, I hereby direct that no person shall sell or offer to sell imported Zinc Chloride at an ex-godown price exceeding its landed cost by more than 15 per cent. of such landed cost or Rs. 12 per cwt. whichever is less.

*Notification No. 200-TA/43, dated the 18th November, 1944 (published in the "Gazette of India" of the 18th November, 1944, Pt. I, p. 1479).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and delegated to me by the order of the Government of India in the Department of Industries and Civil Supplies, No. 200-Tex(B)/43, dated the 9th October, 1943, and in supersession of the Textile Commissioner's Notification No. 200-TA/43, dated the 17th June, 1944, I hereby direct that no person shall sell or offer to sell imported Zinc Chloride at an ex-godown price exceeding its landed cost by more than 20 per cent. of such landed cost or Rs. 8-4-0 per cwt. whichever is less.

*Notification No. 58-TA/44(ii), dated the 2nd December, 1944 (published in the "Gazette of India" of the 2nd December, 1944, Pt. I, p. 1543).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and delegated to me by the order of the Government of India in the Department of Industries and Civil Supplies, Notification No. 78-Tex(B)/43(ii), dated the 4th December, 1943, I hereby

direct that no person shall sell or offer to sell ordinary loom pickers of all types required by the Textile Industry other than Jute and Hemp at a price exceeding Rs. 210 per gross F.O.R. port of entry or town of manufacture in India from the 1st of December, 1944.

*Notification No. N-113/43, dated the 6th January, 1945 (published in the "Gazette of India" of the 6th January, 1945, Pt. I, p. 15).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of Notification No. N-113/43, dated the 2nd September, 1944, the Central Government is pleased to direct that no person shall sell newsprint—

- (a) if in reeds, at a price higher than 5 annas per lb. at any customs port or 5½ annas per lb. at any other place;
- (b) if in sheets, at a price higher than 6 annas per lb. at any customs port or 6½ annas per lb. at any other place; and
- (c) if in any other form as for example, waste newsprint including clippings and reel ends, at a price higher than 3 annas per lb.

*Notification No. 25(1)-TC/45, dated the 22nd March, 1945 [published in the "Gazette of India (Extraordinary)" of the 22nd March, 1945, p. 211].*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall sell, or agree to sell, or export to any place outside India, Cotton Waste of any description specified in column (1) of the Schedule hereto appended at a price exceeding the price specified in the corresponding entry in column (2) of the said Schedule.

### Schedule.

1	2
Hard Cotton Waste in pressed bales.	Maximum price ex-godown of storage or F. O. B. at any port of India (in the case of export price) per cwt.
	Rs. a. p.
Reelers and Winders Coloured .. ..	.. 24 8 0
Reelers and Winders White (Grey) .. ..	.. 23 8 0
Sized Coloured .. ..	.. 23 8 0
Sized White White (Grey) .. ..	.. 23 0 0
Any mixture of above types of Hand waste .. ..	.. 23 0 0

*Note.*—Nothing in this Order shall apply to Sized Waste Long which expression means all sized waste in lengths of five yards and above.

*Notification No. P. A C-19-18(62), dated the 5th May, 1945 (published in the "Gazette of India" of the 5th May, 1945, Pt. I, p. 545).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, read with notification of the Government of India in the Department of Industries and Civil Supplies, No. 51-Tex(B)/44(ii), dated the 15th January, 1944, I hereby direct that no person shall sell or offer to sell any of the following chemicals, namely, Formosul L or Erasal or Gangolite C (Sodium Sulphoxylate Formaldehyde) in packings

containing 1 cwt. or more at a price exceeding Rs. 1-6-0 per lb. F.O.R. any destination in India, provided that where any such chemical is sold in smaller packings or in containers into which it is repacked the seller may make an additional charge at 6 annas per lb. where the package contains 2 to 3 lbs., 5 annas per lb., where the package contains 9 to 14 lbs., 4 annas per lb. where the package contains 28 lbs. and 2 annas 6 pies per lb. where the package contains 56 lbs.

*Notification No. 58-TA/44, dated the 23rd May, 1945 (published in the "Gazette of India" of the 2nd June, 1945, Pt. I, p. 652).*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, read with the notification of the Government of India in the Department of Industries and Civil Supplies, No. 78-*Tex(B)/43(ii)*, dated the 4th December, 1943, I hereby direct that no person shall sell or offer to sell imported Mutton Tallow used in textile manufacture (other than hemp and jute) at a price exceeding Rs. 48 per cwt. f.o.r. Port of Entry.

*Notification No. 58-TA/44, dated the 26th June, 1945 (published in the "Gazette of India" of the 7th July, 1945 Pt. I, p. 874).*

In exercise of the powers conferred on me by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, read with the notification of the Government of India, Department of Industries and Civil Supplies, No. 78-*Tex(B)/43(ii)*, dated the 4th December, 1943, and in supersession of the notification of the Textile Commissioner, Government of India, Department of Industries and Civil Supplies, No. 58-TA/44(ii), dated the 2nd December, 1944, I hereby direct that no person shall sell or offer to sell ordinary loom pickers used in the textile industry for a price which exceeds a sum representing—

- (i) in the case of pickers imported from outside India their landed cost increased by 20 per cent. thereof;
- (ii) in any other case, the cost of production increased by 33 1/3 per cent. thereof:

Provided that the price charged shall in no case exceed the rate of Rs. 210 per gross.

2. I also direct with reference to sub-rule (1) of rule 119 of the Defence of India Rules that notice of this order shall be given by the publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

*Notification No. 25(1)-TC/45, dated the 1st December, 1945 [published in the "Gazette of India (Extraordinary)" of the 1st December, 1945, p. 993].*

In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the notification of the Government of India in the Department of Industries and Civil Supplies No. 25(1)-TC/45, dated the 8th September, 1945, the Central Government is pleased to direct that no person shall sell \* \*, or agree to sell \* \* or export to any place outside India, Cotton Waste of any description specified in column (1) of the Schedule hereto appended at a price exceeding the price specified in the corresponding entry in columns (2) and (3)

\*Omitted by notification No. 25(1)-TC/45, dated the 12th December, 1945.

of the said Schedule, and also to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the order shall be given by the publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

### Schedule.

1	2	3
Hard Cotton Waste.	Maximum price ex-godown or F. O. B. at any port in India (in the case of export price) per cwt. in pressed bales.	Maximum price ex-godown or F. O. B. at any port in India (in the case of export price) per cwt. in other than pressed bales.
	Rs. a. p.	Rs. a. p.
Reelers & Winders coloured .. ..	28 8 0	24 0 0
Reelers & Winders white (grey) .. ..	28 0 0	23 8 0
Sized coloured and white (grey) .. ..	26 8 0	22 0 0
Any mixture of the above types of Hard Waste ..	26 8 0	22 8 0

*Note.*—Nothing in this order shall apply to sized Waste Long which expression means all sized waste in lengths of five yards and above.

*Notification No. SS/63(14), dated the 1st December, 1943 (published in the "Gazette of India" of the 4th December, 1943, Pt. I, p. 1305).*

In exercise of the powers conferred by clauses (b) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the notification of the Government of India in the Department of Supply No. SS/63(10), dated the 4th March, 1943, the Central Government is pleased to direct—

that, with effect from the 27th November, 1943, no person shall sell pneumatic tyres or tubes of Indian manufacture at prices higher than those specified in the attached schedule;

that this order and the attached schedules shall be displayed prominently at the premises of all suppliers recognised for the purpose of the Tyre Rationing Order, 1942.

[For Schedule see "Gazette of India" of the 4th December, 1942, Pt. I, p. 1305.]

*Notification No. SS/63(15), dated the 18th May, 1944 (published in the "Gazette of India" of the 20th May, 1944, Pt. I, p. 673).*

In exercise of the powers conferred by clauses (b) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of this department notification No. SS/63(15), dated the 2nd February, 1944, the Central Government is pleased to direct—

(1) that with immediate effect no recognised supplier or retreader shall charge for the retreading of tyres or sell retreaded tyres at prices higher than those listed in schedule;

- (2) that this order and the attached schedule shall be displayed prominently at the premises of all suppliers and retreaders recognised for the purpose of the Tyre Rationing Order, 1944.

**Schedule.**

[Not printed here.]

*Notification No. SS/63(16), dated the 1st August, 1944 (published in the "Gazette of India" of the 12th August, 1943, Pt. I, p. 1072).*

In exercise of the powers conferred by clauses (b) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct:—

- (i) that, with effect from the date of publication of this order in the *Gazette of India*, no person shall sell motor, motor cycle and giant "Seconds" tubes at prices higher than those specified in the Schedule below;
- (ii) that, this order and the Schedule shall be displayed prominently at the premises of all suppliers recognised for the purpose of the Tyre Rationing Order, 1944.

**Schedule.**

*Factory Seconds Tubes.*

[Not printed here.]

*Order, dated the 21st August, 1942 (published in the "Calcutta Gazette" of the 24th September, 1942, Pt. 1A, p. 788).*

**ORDER.**

In exercise of the powers conferred by rule 81A of the Defence of India Rules and in supersession of the order of the Government of India in the Department of Labour, dated the 6th March, 1942, the Central Government is pleased to make the following Order, it being necessary to do so for securing the efficient prosecution of the War, namely:—

- (i) No person employed in any undertaking shall go on strike in connection with any trade dispute without having given to his employer within one month before striking not less than fourteen days' previous notice in writing of his intention so to do.
- (ii) No employer of any undertaking shall lock-out his employees in connection with any trade dispute without having given to his employees within one month before locking out not less than fourteen days' previous notice exhibited prominently in his undertaking, of his intention so to do, provided that no such notice shall be necessary while a strike exists in the undertaking, but a notice of the lock-out shall be sent <sup>1</sup>[on the day on which the lock-out is declared] to such authority as may be specified by the Provincial Government either generally or for particular areas or particular classes of undertakings.
- (iii) When any trade dispute has been referred to a Court of Inquiry or a Board of Conciliation under the Trade Disputes Act, 1929 (VII of 1929), or for conciliation or adjudication under an order made under rule 81A of the Defence of India Rules, no person

<sup>1</sup>Substituted by order, dated the 16th December, 1940.

employed in any undertaking concerned in the dispute shall go or remain on strike and no employer in any undertaking concerned in the dispute shall lock-out or continue to lock-out his employees, during the period from the making of the reference until the expiry of two months after the conclusion of the proceedings upon such reference.

(iv) No person shall instigate or incite others to take part in, or otherwise act in furtherance of, any strike or lock-out which is, or when commenced will be, in contravention of the provisions of this order.

(v) Sub-rule (5) of rule 81A of the Defence of India Rules shall apply to the interpretation of this Order.

*Notification No. L. R. 16(10), dated the 19th December, 1945 (published in the "Calcutta Gazette" of the 10th January 1946, Pt. 1A, p. 3).*

Whereas in the opinion of the Central Government it is necessary so to do for securing the maintenance of public order and for maintaining supplies and services essential to the life of the community :

Now, therefore, in exercise of the powers conferred by rule 81A of the Defence of India Rules, and in supersession of the order of the Government of India in the Department of Labour, dated the 21st August, 1942, the Central Government is pleased to make the following order :—

(i) No person employed in any undertaking shall go on strike in connection with any trade dispute without having given to his employer within one month before striking not less than fourteen days' previous notice in writing of his intention so to do.

\*(ii) No employer of any undertaking shall lock-out his employees in connection with any trade dispute without having given to his employees within one month before locking out not less than fourteen days' previous notice exhibited prominently in his undertaking, of his intention so to do, provided that no such notice shall be necessary where a strike exists in the undertaking but a notice of the lock-out shall be sent on the day on which the lock-out is declared to such authority as may be specified by the Provincial Government either generally or for particular areas or particular classes of undertakings.

(iii) When any or all of the matters of a trade dispute have been referred to a Court of Inquiry or a Board of Conciliation under the Trade Dispute Act, 1929 (VII of 1929), or for conciliation or adjudication under an order made under rule 81A of the Defence of India Rules, no person employed in any undertaking concerned in the dispute shall go or remain on strike and no employer in any undertaking concerned in the dispute shall lock-out or continue to lock-out his employees, during the period from the making of the reference until the expiry of two months after the conclusion of the proceedings upon such reference.

(iv) No person shall instigate or incite others to take part in, or otherwise act in furtherance of any strike or lock-out which is, or when commenced will be, in contravention of the provisions of this order.

(v) In this order the expressions "employer" "lock-out", "strike", "trade dispute" and "workman" have the same meaning as in rule 81A of the Defence of India Rules.

---

\*For notification issued by the provincial Government of Bengal under clause (ii) see the notification below.

2. The Central Government is pleased to direct, with reference to sub-rule (1) of rule 119 of the said Rules, that notice of the order be given by publication in the official Gazette and by the issue of a press-note summarising and explaining its provisions.

*Notification No. 70 Com., dated the 4th January, 1946 (published in the "Calcutta Gazette" of the 10th January 1946, Pt. I, p. 42).*

In exercise of the power conferred by clause (ii) of the Order No. L.R.-16(10), dated the 19th December, 1945, of the Government of India, Department of Labour, the Governor is pleased to specify generally the Labour Commissioner, Bengal, to be the authority to which the notice of the lock-out shall, in the case where a strike exists in an undertaking, be sent under the said clause.

*Notification No. 24(2)-Tr. (C. L.)/43, dated the 19th June, 1943 (published in the "Calcutta Gazette" of the 15th July 1943, Pt. IA, p. 260).*

In exercise of the powers conferred by sub-rule (2) of rule 81G of the Defence of India Rules, the Central Government is pleased to order that the statement which a company shall file with the Registrar of Joint Stock Companies under sub-rule (1) of the said rule, shall contain the following particulars, namely:—

- (i) the names and addresses of all persons, who have become members of the company since the date of the last return and the number of shares of each class acquired by each;
- (ii) the names of members of the company, other than those stated in clause (i), who have transferred or forfeited any shares held by them, or acquired any shares, since the date of the last return, specifying, in each case, the total number of shares of each class transferred, forfeited or acquired; and
- (iii) the total number of shareholders of each class.

*\* Notification No. 1-I.T.C./40, dated the 20th May, 1940 (published in the "Calcutta Gazette" of the 6th June, 1940, Pt. IA, p. 197).*

In exercise of the powers conferred by rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the bringing into British India by sea, land or air from any place outside India of any goods of the description specified in the Schedule hereto annexed, except the following, namely:—

- (i) any goods imported by the Central Government for defence purposes;
- (ii) any goods imported for transshipment to, or in bond for re-export to any country outside India;
- (iii) any goods imported as passengers' baggage or by post for *bona fide* private use and not for sale;
- (iv), (va) and (v) [*Omitted by notification No. 19-I.T.C./40, dated the 7th December, 1940.*]
- (vi) any goods covered by an open general licence issued by the Central Government;

---

\*The prohibition contained in this notification shall not however apply to any goods of the description specified in Part II of the Schedule to this notification, which have been despatched on through consignment to India before 10th May, 1941.



‘[(viii) any goods covered by a special licence issued by the Import Trade Controller on application made before despatch on through consignment to India]’ :

Provided that nothing in these exceptions shall prejudice the application to any goods of any other prohibition or regulation affecting the import of goods that may be in force at the time when such goods are imported.

### Schedule.

[Not printed in this collection.]

*Notification No. 25-I. T. C./40, dated the 12th December, 1941 (published in the "Calcutta Gazette" of the 8th January, 1942, Pt. IA, p. 14).*

In exercise of the powers conferred by rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the bringing into British India by sea from any place outside India of any materials of the descriptions specified in the Schedule hereto annexed, except the following, namely :—

- (i) any materials of such descriptions imported by the Central Government for defence purposes;
- (ii) any materials of such descriptions despatched on through consignment to India not later than 1st January, 1941;
- (iii) any materials of such descriptions covered by an open general licence issued by the Central Government;
- (iv) any materials of such descriptions covered by a special licence issued on application made before the placing of an order by the Steel Import Controller or by a Deputy Steel Import Controller appointed, or by any other officer authorised, in this behalf by the Central Government:

Provided that nothing in these exceptions shall prejudice the application to any goods of any other prohibition or regulation affecting the import of goods that may be in force at the time when such goods are imported.

### Schedule.

*(Please see "Calcutta Gazette", January 8, 1942, Part IA, at pages 14 and 15.)*

*Notification No. 55, dated the 8th September, 1939 (published in the "Gazette of India, Extraordinary" of the 8th September, 1939).*

In exercise of the powers conferred by sub-rule (2) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the taking out of British India by sea, land or air of any articles specified in the Schedule hereto annexed, which are consigned or destined, whether directly or indirectly, for any person in enemy territory as defined in clause (2) of rule 2 of the said Rules.

### Schedule.

(a) All kinds of arms, ammunitions, explosives, chemicals or appliances suitable for use in chemical warfare, and machines for their manufacture

---

<sup>1</sup>Substituted by notification No. 19-I. T. C./40, dated the 7th December, 1940.

or repair; component parts thereof; articles necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water or air, and machines used in their manufacture or repair; component parts thereof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers and other articles, machines, or documents necessary or convenient for carrying on hostile operations; articles necessary or convenient for their manufacture or use.

(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

(e) All kinds of food, foodstuffs, feed forage, and clothing, and articles and materials used in their production.

*Notification No. 80/5/39, dated the 16th August, 1940 (published in the "Calcutta Gazette" of the 5th September, 1940, Pt. IA, p. 430).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the taking out of British India to a place outside India otherwise than by post of any Cinematograph film which has not been certified as suitable for export by a person duly appointed as Censor by the Central Government, and of any gramophone record or sound track connected with such film.

*Notification No. 130-M.I. W./40, dated the 2nd November, 1940 (published in the "Calcutta Gazette" of the 14th November, 1940, Pt. IA, p. 533).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to direct that save with the permission of the Customs Collector or Export Trade Controller no fresh water shall be shipped on any sea-going vessel other than—

- (i) a vessel belonging to, or chartered or requisitioned by, or on behalf of, His Majesty,
- (ii) a vessel belonging to, or chartered by, a port authority,
- (iii) a sailing vessel, or
- (iv) a home-trade ship as defined in the Indian Merchant Shipping Act, 1923 (XXI of 1923).

*Notification No. 1, dated the 11th January, 1941 (published in the "Calcutta Gazette" of the 27th February, 1941, Pt. IA, p. 61).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the taking out of British India to any place outside India and Burma of the goods specified in the appended Schedule unless generally or specially permitted by the Reserve Bank of India:—

#### **Schedule.**

**Diamonds of all kinds.**

**Articles wholly or mainly of platinum or gold.**

Precious and semi-precious stones and pearls, whether or not mounted, set or strung, and articles mounted or set with diamonds, precious stones or pearls.

*Notification No. 350 (40)-Tr. (I.T.C.)/41, dated the 15th May, 1946 (published in the "Calcutta Gazette" of the 29th May, 1941, Pt. IA, p. 267).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the bringing into British India of any goods carried from the United States of America to India by the Norwegian Ship GAUSDAL unless covered by a special permit issued by the Central Government.

*Notification No. 91-C.W. (5)/41, dated the 17th May, 1941 (published in the "Calcutta Gazette" of the 12th June, 1941, Pt. IA, p. 310).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the export to any place outside India of any goods transhipped at a port in British India other than goods covered by a permit issued by the Customs Collector in this behalf.

*Notification No. 106(31)-E.T. (A)/41-(1), dated the 21st February, 1942 (published in the "Calcutta Gazette" of the 12th March, 1942, Pt. IA, p. 244).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the import into India, with effect from the 1st April 1942, of all goods consigned from any country specified in the First Schedule hereto annexed unless Certificates of Origin and Interest in the form prescribed in the Second Schedule are presented in respect of such goods to the Collector of Customs at the port of import:

Provided—

- (1) that no such certificate shall be valid unless it states that of the cost of the goods described therein not more than 5 per cent. was derived from materials grown or produced or from work done within enemy territory;
- (2) that this prohibition shall not apply—
  - (i) to goods imported in pursuance of clause (a) of the proviso to sub-rule (1) of rule 98 of the Defence of India Rules;
  - (ii) to any particular consignments of which the Collector of Customs authorises delivery upon security being given for an amount not exceeding three times the value of the goods for production within such time as he may prescribe or a Certificate of Origin and Interest in the form prescribed, or of an authority issued under provision specified in the preceding clause;
  - (iii) to any goods which are the *bona fide* personal or household effects of persons entering India; and
  - (iv) to any goods, proved to the satisfaction of the Collector of Customs to have left the place from which they were last consigned for India not later than the 31st March, 1942, and covered by a Certificate of Origin and Interest from a Consular Officer of His Majesty stating that not more than 25 per cent. of the cost thereof was derived from materials grown or produced or from work done within enemy territory.

**First Schedule.**

Liberia.

Portugal.\*

Sweden.

Turkey.

Liechtenstein.

Spain.\*

Switzerland.

**Second Schedule.***Certificate of Origin and Interest.*

I, ..... His Majesty's Consul-General/Consul/Vice-Consul at ..... hereby certify that A (name of applicant) B (occupation of applicant) residing at ..... has declared before me that the merchandise designated below, which is to be shipped from ..... to ..... consigned to C (name of consignee) D (occupation of consignee) resident at ..... has not been grown, produced or manufactured in enemy territory; that no person who is an enemy, or with whom trading is prohibited under any law or proclamation for the time being in force, relating to trading with the enemy, or relating to trading with persons of enemy nationality or associations, has any interest in such merchandise; and that he has produced to my satisfaction invoices or other trustworthy documents in proof thereof.

The present certificate must not be regarded as an absolute guarantee of the origin of the goods, which remain liable to seizure if they should prove on examination by the competent British authorities to be of enemy origin.

Number of Description of cases.	Marks and numbers.	Weight or Quantity.	Total value.†	Contents.	Name of producer, grower or manufacturer.

No part/Not more than ( ) per cent. of the cost of these goods to the manufacturer is due to material and labour of enemy origin.

The goods covered by this certificate must be shipped within a period of not more than (.....) days from the date thereof.

(Signed).....

(Signature of person declaring.)

(Signed).....

(Signature of Consular Officer.)

Date.....

(Consular Fee stamp duly cancelled.)

This certificate is valid for not more than (one, two, three, etc.), (bales, cases, hogsheads, etc.).

Notification No. 106(31)-E.T. (A)/41-(2), dated the 21st February, 1942 (published in the "Calcutta Gazette" of the 12th March, 1942, Pt. IA, p. 244).

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the

\*Excluding insular territories in the Atlantic Ocean.

†If desired, the word "order" may be inserted here instead.

‡This column may be left blank if desired.

import by sea into India, with effect from the 1st April, 1942, of all goods consigned from any port of Iraq or Iran in the Persian Gulf unless Certificates of Origin and Interest in the Form set forth in the First Schedule hereto annexed are presented in respect of such goods to the Collector of Customs at the port of import:

Provided—

- (1) that no such certificate shall be valid unless it states that of the cost of the goods described therein not more than 5 per cent. was derived from materials grown or produced or from work done within enemy territory;
- (2) that this prohibition shall not apply—
  - (i) to goods specified in the Second Schedule hereto annexed <sup>1</sup>[and consigned from a port of Iran in the Persian Gulf];
  - <sup>2</sup>(ia) to goods specified in the Third Schedule hereto annexed and consigned from a port of Iraq in the Persian Gulf<sup>3</sup>;
  - (ii) to goods imported in pursuance of clause (a) of the proviso to sub-rule (I) of rule 98 of the Defence of India Rules;
  - (iii) to any particular consignments of which the Collector of Customs authorises delivery upon security being given for an amount of exceeding three times the value of the goods for production within such time as he may prescribe of a Certificate of Origin and Interest in the form prescribed, or of an authority issued under the provision specified in the preceding clause;
  - (iv) to any goods which are the *bona fide* personal or household effects of persons entering India;
  - (v) to any goods, proved to the satisfaction of the Collector of Customs to have left the place from which they were last consigned for India not later than the 31st March, 1942, and covered by a Certificate of Origin and Interest from a Consular Officer of His Majesty stating that not more than 25 per cent. of the cost thereof was derived from materials grown or produced or from work done within enemy territory;
  - (vi) to goods which, though not covered by Certificates of Origin and Interest in the form prescribed, have been specifically approved for shipment by a Consular Officer of His Majesty in Iraq or Iran, as the case may be.

### **First Schedule.**

#### *Certificate of Origin and Interest.*

I, ..... His Majesty's Consul-General/Consul/Vice-Consul at..... hereby certify that A (name of applicant), B (occupation of applicant) residing at..... has declared before me that the merchandise designated below, which is to be shipped from..... to....., consigned to C (name<sup>3</sup> of consignee), D (occupation of consignee) resident at..... has not been grown, produced or manufactured in enemy territory; that no person who is an enemy, or with whom trading is prohibited under any law or proclamation for the time being in force, relating to trading with the enemy or relating to trading with persons of enemy nationality or associations, has any interest in such merchandise; and that he has produced to my satisfaction invoices or other trustworthy documents in proof thereof.

<sup>1</sup>Inserted by notification No. 106(31)-E. T. (A)/41, dated the 8th August, 1942.

<sup>2</sup>Inserted, *ibid*.

<sup>3</sup>If desired, the word "order" may be inserted here instead.

The present certificate must not be regarded as an absolute guarantee of the origin of the goods, which remain liable to seizure if they should prove on examination by the competent British authorities to be of enemy origin.

Number of Description of cases.	Marks and numbers.	Weight or Quantity.	Total value.*	Contents.	Names of producer, grower or manufacturer.

No part/Not more than ( ) per cent. of the cost of these goods to the manufacturer is due to material and labour of enemy origin.

The goods covered by this certificate must be shipped within a period of not more than (.....) days from the date thereof.

(Signed).....

(Signature of person declaring.)

(Signed).....

(Signature of Consular Officer.)

Date.....

(Consular Fee stamp duly cancelled.)

This certificate is valid not more than (one, two, three, etc.), (bales cases, hogsheads, etc.).

### Second Schedule.

All foodstuffs.	* Charcoal.
Animal fats.	* Vegetable oil-seeds.
Camel hair.	Vegetable oils.
Goat hair.	Opium.
Raw cotton.	Gums.
Hides.	Guts.
Skins.	Gall nuts.
Leather.	Attari.
Soapwort.	Rosebuds.
Petroleum and petroleum products.	*

### Third Schedule.

All foodstuffs.	Charcoal.
Animal fats.	Vegetable oil-seeds.
Camel hair.	Vegetable oils.
Goat hair.	Opium.
Raw cotton.	Gums.
Hides.	Guts.
Skins.	Gall nuts.
Leather.	Attari.
Soapwort.	Rosebuds.
Petroleum and petroleum products.	*

\*This column may be left blank if desired.

*Notification No. 22-I.T.C./42, dated the 28th March, 1942 (published in the "Calcutta Gazette" of the 23rd April, 1942, Pt. IA, p. 330).*

In exercise of the powers conferred by sub-rule (3) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the bringing into British India by sea, land or air from any place outside India of any goods of the description specified in the Schedule hereto annexed, except the following, namely:—

- (i) any goods of such description imported by the Central Government for defence purposes;
- (ii) any goods of such description imported for transshipment to or under bond for re-export to any country outside India;
- (iii) any goods of such description covered by an open general licence issued by the Central Government;
- (iv) any goods of such description covered by a special licence issued by the Director of Civil Aviation in India:

Provided that nothing in these exceptions shall prejudice the application to any goods of any other prohibition or regulation affecting the import of goods that may be in force at the time when such goods are imported:

Provided further that this prohibition shall not apply to goods of such description—

- (i) despatched on through consignment to India and which, had they been brought into British India on the date such despatch, would have been covered by Open General Licence No. II, published with the Commerce Department notification No. 59-I.T.C./41, dated the 23rd August, 1941, or
- (ii) covered by a special licence issued under exception (iv) to the Commerce Department notification No. 25-I.T.C./40, dated the 31st December, 1940, or under exception (vi) to the Commerce Department notification No. 56-I.T.C./41, dated the 23rd August, 1941, at any time before this notification comes into effect.

#### **Schedule.**

Aeroplanes, aeroplane parts, aeroplane engines, aeroplane engine parts and rubber tyres and tubes used exclusively for aeroplanes, including all manufactured articles and materials used in aircraft construction imported for the purpose of maintenance, repair and overhaul of aircraft, aero-engines and their instruments and equipment.







